

Local Legislation Act 1928

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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:—

1 Short Title

This Act may be cited as the Local Legislation Act 1928.

County councils.

2 Validating purchase of road-roller by Waitomo County Council on terms of payment by instalments

Whereas the Waitomo County Council (hereinafter called the Council), on the seventeenth day of February, nineteen hundred and twenty-five, entered into an agreement with Messrs Andersons Limited, of Christchurch, for the purchase of a steam road-roller for the sum of two thousand four hundred and forty-eight dollars, to be paid by ten half-yearly instalments of two hundred and forty-four dollars and eighty cents each: And whereas there is no lawful authority for the Council to purchase the said roller on the instalment principle as afore-said: And whereas in view of the payments already made by the Council, and its inability to pay the balance in one sum, it is desired to validate the purchase of the roller pursuant to the agreement entered into: Be it therefore enacted as follows:—

The purchase of the said roller by the Council on terms of paying therefor by instalments pursuant to the agreement hereinbefore referred to is hereby validated.

The words “two thousand four hundred and forty-eight dollars”, and “two hundred and forty-four dollars and eighty cents” were substituted, as from 10 July 1967, for the words “one thousand two hundred and twenty-four pounds”, and “one hundred and twenty-two pounds eight shillings” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

3 Authorizing the Waitomo County Council to pay certain preliminary expenses out of loan-moneys

Whereas the Waitomo County Council (hereinafter called the Council) has raised, under the Local Bodies Loans Act 1926, a loan of two thousand two hundred dollars for the purpose of forming, culverting, and fencing approximately three miles of the Mangatea Road: And whereas owners of properties to be

benefited undertook to pay the expenses in connection with the taking of the land for such road on the understanding that such expenses would be regarded as preliminary expenses in connection with the said work, and that they would be repaid out of the loan when raised: And whereas there has been actually paid by them the sum of five hundred and fifty-nine dollars and eighty-three and a third cents: And whereas a sufficient amount was included in the said loan of two thousand two hundred dollars for the purpose of refunding the amount advanced by them: And whereas it appears that the sums so paid are not preliminary expenses within the meaning of paragraph (a) of subsection one of section five of the Local Bodies Loans Act 1926: And whereas it is deemed advisable to authorize the Council to pay out of the said loan the said sum of five hundred and fifty-nine dollars and eighty-three and a third cents: Be it therefore enacted as follows:—

The Waitomo County Council is hereby authorized to pay out of the said loan of two thousand two hundred dollars the said sum of five hundred and fifty-nine dollars and eighty-three and a third cents, being the amount advanced by the said owners of properties in connection with the taking of the land required for the said road.

The words “two thousand two hundred dollars”, and “five hundred and fifty-nine dollars and eighty-three and a third cents” were substituted, as from 10 July 1967, for the words “one thousand one hundred pounds”, and “two hundred and seventy-nine pounds eighteen shillings and fourpence” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

4 Authorizing Cook County Council to make a compassionate allowance to widow and children of late Engineer to the Council

The Cook County Council is hereby empowered to make out of its General Account a compassionate allowance of one thousand two hundred dollars to the widow and children of its late Engineer, John James Keane, with power for the Council to appoint the Public Trustee to administer the same upon such terms as to the application thereof and as to payment thereof by instalments or otherwise and upon such other terms as the Council shall determine.

The words “one thousand two hundred dollars” were substituted, as from 10 July 1967, for the words “six hundred pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

5 Validating expenditure by Cook County Council on celebrating jubilee of County of Cook

The expenditure by the Cook County Council during the year ended the thirty-first day of March, nineteen hundred and twenty-eight, of the sum of forty-six dollars in respect of the jubilee of the County of Cook is hereby validated and declared to have been lawfully made.

The words “forty-six dollars” were substituted, as from 10 July 1967, for the words “twenty-three pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

6 Changing purposes of certain loan-moneys raised by Waitemata County Council

Whereas on the twenty-fifth day of November, nineteen hundred and twenty-five, the Waitemata County Council, pursuant to the provisions of the Local Bodies Loans Act 1913, took a poll upon a proposal to raise a special loan of sixty-two thousand dollars under that Act for the purpose, *inter alia*, of road-construction and bridge-building in the Waikumete Riding in the County of Waitemata: And whereas it was proposed to expend the sum of nine thousand two hundred and fifty dollars, part of the said sum of sixty-two thousand dollars, for the purpose, *inter alia*, of tar-sealing the Oratia Main Road, including Parr’s Bridge, the same being within the said Waikumete Riding: And whereas the said proposal was duly carried: And whereas it is desired that the said sum of nine thousand two hundred and fifty dollars should be expended for the purpose of concreting in whole or in part of its width, instead of tar-sealing, the said Oratia Main Road, including Parr’s Bridge: Be it therefore enacted as follows:—

Notwithstanding anything to the contrary in the Local Bodies Loans Act 1926, the Waitemata County Council may expend the said sum of nine thousand two hundred and fifty dollars in concreting in whole or in part of its width the Oratia Main Road, including Parr’s Bridge, instead of tar-sealing the same.

The words “sixty-two thousand dollars”, and “nine thousand two hundred and fifty dollars” were substituted, as from 10 July 1967, for the words “thirty-one thousand pounds”, and “four thousand six hundred and twenty-five pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

7 Making provision with respect to special loan of \$76,000 raised by Hutt County Council for main highway purposes

Whereas on the nineteenth day of December, nineteen hundred and twenty-four, the Hutt County Council submitted to a poll of the ratepayers of the Hutt County a proposal to raise a special loan of ninety thousand dollars under the Local Bodies Loans Act 1913: And whereas the sum of seventy-six thousand dollars (hereinafter referred to as the said allocation) was allocated on the loan proposal for main highways construction and reconstruction: And whereas part of the works contemplated by the said allocation have been carried out by the County Council: And whereas the Main Highways Board has undertaken certain of the work contemplated by the said allocation: And whereas doubts have been raised as to the power of the said County Council to do the works it has done and as to its power to pay over to the Main Highways Board the unexpended portion of the said allocation and as to its power to raise a ten per centum additional loan and to pay the proceeds to the Main Highways Board: And whereas it is expedient to remove such doubts: Be it therefore enacted as follows:—

- (1) All payments heretofore made by the Hutt County Council out of the said allocation are hereby validated.
- (2) The Hutt County Council is hereby empowered to pay into the Public Account to the credit of the Main Highways Account (Construction Fund) the unexpended balance of the said allocation.
- (3) The Hutt County Council is hereby empowered to raise the sum of seven thousand six hundred dollars in like manner as if all the conditions of section nineteen of the Local Bodies Loans Act 1926, applied, and to pay the proceeds of such further loan, less the cost of raising such additional loan, into the Public Account to the credit of the Main Highways Account (Construction Fund).

The words “ninety thousand dollars”, “seventy-six thousand dollars”, and “seven thousand six hundred dollars” were substituted, as from 10 July 1967, for the words “forty-five thousand pounds”, “thirty-eight thousand pounds”, and “three thousand eight hundred pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

8 Removing restriction as to river-bank reserve and authorizing exchange of certain land by Whangarei County Council

Whereas the land described in subsection three hereof is a public road along the bank of a river—namely, the Moengawahine Stream: And whereas the Whangarei County Council, being the local body having control of such road, is desirous of closing the same under the provisions of the Public Works Act 1908, and thereafter of exchanging the land comprised therein, together with the land comprised in another portion of public road to be closed as described in subsection four hereof, for another area as described in subsection five hereof, such last-mentioned area when acquired to be vested in the Corporation of the County of Whangarei as a stock reserve: And whereas the provisions of section one hundred and thirty of the Public Works Act 1908, prohibit the closing of the road described in subsection three hereof, and it is deemed expedient to empower the Whangarei County Council to close the said road: Be it therefore enacted as follows:—

- (1) The provisions of section one hundred and thirty of the Public Works Act 1908, in so far as they prohibit the closing of roads along the banks of rivers, shall not apply to the land described in subsection three hereof.
- (2) On the closing of the roads described in subsections three and four hereof, the lands comprised therein shall vest in the Corporation of the County of Whangarei, and the Whangarei County Council may, notwithstanding anything to the contrary in the Public Works Act 1908, or any other Act, exchange such lands for the land described in subsection five hereof, and such last-mentioned land when so acquired shall vest in the said Corporation as a stock reserve.

- (3) The road to which section one hundred and thirty of the Public Works Act 1908, is hereinbefore declared not to apply is particularly described as follows:—
All that area in the North Auckland Land District, Whangarei County, containing by admeasurement two acres and thirty-two perches, more or less, being portion of a public road adjoining portion of Section 19, Block IV, Mangakahia Survey District, bounded as follows: commencing at the intersection of the south-west boundary of the aforesaid portion of Section 19 with the southern bank of Moengawahine Stream; on the north-east by the south-west boundary of the aforesaid portion of Section 19 to the north-western side of a public road forming the south-eastern boundary of the aforesaid portion of Section 19; thence on the south-east by a right line being the production of the aforementioned road-side to the southern bank of the Moengawahine Stream; and thence by that stream to the point of commencement: as the same is more particularly delineated in a plan marked IA 19/73/244, deposited in the Department of Internal Affairs at Wellington, and therein coloured green.
- (4) The road which as hereinbefore recited the Whangarei County Council proposes to close pursuant to the Public Works Act 1908, is particularly described as follows:—
All that area in the North Auckland Land District, Whangarei County, containing by admeasurement one rood and twenty-three perches, more or less, being portion of a public road bounded as follows: commencing at the south-eastern corner of Section 48, Block IV, Mangakahia Survey District; on the west by the aforesaid Section 48, 183.3 links bearing $356^{\circ} 50'$, to a public road; thence on the north-east by a right line, 367.55 links bearing $127^{\circ} 59'$, to the northern boundary of part Section 21 of Block IV, Mangakahia Survey District, as shown in deposited plan 11763, Auckland Registry; and thence on the south by that boundary, 280 links bearing $258^{\circ} 4'$, to and by Section 49 of the aforesaid block and survey district, 101.2

links bearing $356^{\circ} 50'$, to the south-east corner of the aforesaid Section 48, the point of commencement: be all the aforesaid measurements more or less: as the same is more particularly delineated in a plan marked IA 19/73/244, deposited in the Department of Internal Affairs at Wellington, and therein coloured green.

- (5) The land which the Whangarei County Council may acquire for the purposes of a stock reserve is particularly described as follows:—

All that area in the North Auckland Land District, Whangarei County, containing by admeasurement five acres three roods seven perches, more or less, being Section 90 and parts of Sections 25 and 92 of Block I, Purua Survey District, and being portions of the lands described in certificates of title, Volume 123, folio 228, and Volume 310, folio 219, Auckland Registry, bounded as follows: commencing at the southernmost corner of the aforesaid Section 90; on the south-west generally by a public road, 89.4 links bearing $335^{\circ} 18'$, 149.8 links bearing $308^{\circ} 11'$, 345.7 links bearing $324^{\circ} 14'$, and 171.9 links bearing $266^{\circ} 28'$, to peg IA; thence on the north-west generally by right lines, 300 links bearing $8^{\circ} 42'$ and 958.5 links bearing $68^{\circ} 2' 30''$, to a public road; and thence on the south-east generally by that road, 900 links bearing $185^{\circ} 35'$, 259.1 links bearing $259^{\circ} 27'$, and 168.25 links bearing $202^{\circ} 14'$, to the southernmost corner of the aforesaid Section 90, the point of commencement: be all the aforesaid measurements more or less: as the same is more particularly delineated in a plan marked IA 19/73/244, deposited in the Department of Internal Affairs at Wellington, and therein coloured red.

9 Empowering the Waitemata County Council to make and levy over Wainui Riding special rate in respect of loan of \$2,800

Whereas by special order of the Waitemata County Council passed on the twenty-fifth day of October, nineteen hundred and eighteen, and confirmed on the twenty-seventh day of

November, nineteen hundred and eighteen, a certain special loan area called the Wainui-Kaukapakapa Road Construction Special Loan Area was created: And whereas the ratepayers of the said loan area duly authorized the raising of a special loan of two thousand eight hundred dollars pursuant to the Local Bodies Loans Act 1913, for the purpose of constructing by way of formation, metalling, and culverting the Wainui-Kaukapakapa-Hellyer's Roads within the said special loan area: And whereas the said special loan area was situated partly within the Kaukapakapa Riding of the County of Waitemata and partly within the Wainui Riding of the said county: And whereas at a meeting of the said Council held on the twenty-seventh day of November, nineteen hundred and eighteen, it was resolved, in pursuance and in exercise of the powers vested in it by the Local Bodies Loans Act 1913, that for the purpose of providing the interest and other charges on the said loan the said Council make and levy, and the said Council did by such resolution make and levy, a special rate of twenty-five ninety-sixths of a cent in the dollar upon the rateable value of all rateable property in the said special loan area: And whereas the said Council raised the said special loan and utilized it for the purposes aforesaid: And whereas it is expedient that the said Council should be empowered, in lieu of continuing to levy such special rate over the said loan area, to levy such rate over the whole of the Wainui Riding: Be it therefore enacted as follows:—

- (1) The Waitemata County Council may, for the purpose of meeting the interest and other annual charges in respect of the said loan of two thousand eight hundred dollars, levy, as if the same had been duly made pursuant to lawful authority in that behalf, a rate of twenty-five ninety-sixths of a cent in the dollar upon the rateable value of all rateable property in the Wainui Riding of the County of Waitemata until the said loan is fully paid off.
- (2) While the rate authorized by the last preceding subsection continues to be levied and is sufficient to meet such charges it shall not be necessary for the said Council to levy the rate duly made as security for the said loan.

The words “two thousand eight hundred dollars”, and “twenty-five ninety-sixths of a cent in the dollar” were substituted, as from 10 July 1967, for the words “one thousand four hundred pounds”, and “five-eighths of a penny in the pound” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

10 Special provision with respect to the sum of \$6,260 received by Kawhia County Council from Maori Land Consolidation Committee

Notwithstanding anything to the contrary in the Counties Act 1920, it shall not be necessary for the Kawhia County Council to apportion among the riding accounts of the ridings of the County of Kawhia the sum of six thousand two hundred and sixty dollars received by it during the current financial year from the Maori Land Consolidation Committee in payment of rates on Maori land, and the said Council may credit such sum to its General Account.

The words “six thousand two hundred and sixty dollars” were substituted, as from 10 July 1967, for the words “three thousand one hundred and thirty pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

The word “Maori” was substituted, as from 27 November 1947, for the word “Native” pursuant to section 2(2) Maori Purposes Act 1947 (1947 No 59).

11 Authorizing Otorohanga County Council to expend the unexpended balance of loan of \$1,800

Whereas the Otorohanga County Council, by a poll of ratepayers of the County of Otorohanga taken on the fourteenth day of March, nineteen hundred and twenty-four, under the provisions of the Local Bodies Loans Act 1913, was duly authorized to raise a loan of one thousand eight hundred dollars for the construction of a bridge over the Waipa River at Toa’s Crossing: And whereas of the moneys so raised there is, after providing for the erection of the said bridge, an unexpended balance of one hundred and seventy-three dollars and eighty cents: And whereas it is desirable to authorize the said Council to expend the unexpended balance in manner hereinafter appearing: Be it therefore enacted as follows:—

The Otorohanga County Council is hereby authorized to expend the said unexpended balance in metalling the Waimahora Valley Road from the bridge to its junction with the Tauraroa Valley Road, and to expend any moneys remaining after com-

pletion of that work equally in metalling the Waimahora Valley Road and the Tauraroa Valley Road, all of which roads give access to the said bridge.

The words “one thousand eight hundred dollars”, and “one hundred and seventy-three dollars and eighty cents” were substituted, as from 10 July 1967, for the words “nine hundred pounds”, and “eighty-six pounds eighteen shillings” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

12 Validating raising of loan by Otorohanga County Council

Whereas the Otorohanga County Council, by a poll of the ratepayers of the Te Kawa-Ngaroma Special Rating Area of the County of Otorohanga taken on the twenty-sixth day of February, nineteen hundred and twenty-six, was duly authorized to borrow the sum of three thousand dollars for the purposes set out in the proposal submitted to the ratepayers at that poll: And whereas the Governor-General, by Order in Council dated the sixteenth day of August, nineteen hundred and twenty-six, and published in the *Gazette* of the nineteenth day of the same month, prescribed that the rate of interest payable on the said loan should not exceed six per centum per annum: And whereas the said County Council raised two thousand dollars of the said loan at six per centum per annum with a discount of one dollar on each of ten two-hundred-dollars debentures: And whereas the issue of such debentures at a discount increased the rate of interest payable in respect of the said loan beyond that prescribed by the Governor-General as aforesaid: And whereas it is desired to validate the giving of such discount: Be it therefore enacted as follows:—

The issue by the said Otorohanga County Council of the said ten debentures of two hundred dollars each at a discount of one dollar is hereby validated.

The words “three thousand dollars”, “two thousand dollars”, “one dollar”, and “two-hundred-dollars” were substituted, as from 10 July 1967, for the words “one thousand five hundred pounds”, “one thousand pounds”, “ten shillings”, and “one-hundred-pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

13 Authorizing Manukau County Council to expend unexpended balance of loan of \$21,000

Whereas the Manukau County Council was authorized by a poll of the ratepayers of the Papakura and Wairoa Ridings

of the County of Manukau, taken on the twenty-ninth day of July, nineteen hundred and twenty-six, to borrow the sum of twenty-one thousand dollars for the purpose of regrading, culverting, draining, providing foundations and shoulders, constructing and paving with cement concrete, and completing the whole of that portion of the Great South Road main highway, situated within the boundaries of the Papakura Riding of the County of Manukau: And whereas the said loan of twenty-one thousand dollars was duly raised: And whereas after the completion of the said works there remains an unexpended balance of two thousand six hundred and eighty-nine dollars and twenty-seven and a half cents, and the said Council desires to expend and apply such balance in the formation and construction of footpaths and the reconstruction of bridges on the said portion of the said main highway: And whereas it is desirable to authorize the said Council to expend such unexpended balance accordingly: Be it therefore enacted as follows:—

The Manukau County Council is hereby authorized and empowered to expend and apply the said unexpended balance of the said loan-moneys in the formation and construction of footpaths and the reconstruction of bridges on that portion of the Great South Road main highway situated within the boundaries of the Papakura Riding of the County of Manukau.

The words “twenty-one thousand dollars”, and “two thousand six hundred and eighty-nine dollars and twenty-seven and a half cents” were substituted, as from 10 July 1967, for the words “ten thousand five hundred pounds”, and “one thousand three hundred and forty-four pounds twelve shillings and nine-pence” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

14 Authorizing Manukau County Council to expend unexpended balance of loan of \$35,400

Whereas the Manukau County Council was authorized by a poll of the ratepayers of the Papatoetoe Riding of the County of Manukau, taken on the eighth day of April, nineteen hundred and twenty-six, to borrow the sum of thirty-five thousand four hundred dollars for the purpose of regrading, culverting, draining, and providing foundations and shoulders, constructing, and paving with cement concrete, and completing of those portions of the Great South Road main highway situated within the boundaries of the Papatoetoe Riding of the

County of Manukau: And whereas the said loan of thirty-five thousand four hundred dollars was duly raised: And whereas after the completion of the said works there remains an unexpended balance of one thousand five hundred and four dollars and sixteen and two third cents, and the said Council desires to expend and apply such balance in the formation and construction of footpaths on the said portions of the said main highway: And whereas it is desirable to authorize the said Council to expend such unexpended balance accordingly: Be it therefore enacted as follows:—

The Manukau County Council is hereby authorized and empowered to expend and apply the said unexpended balance of the said loan-moneys in the formation and construction of footpaths along that portion of the Great South Road main highway situated within the boundaries of the Papatoetoe Riding of the County of Manukau.

The words “thirty-five thousand four hundred dollars”, and “one thousand five hundred and four dollars and sixteen and two-third cents” were substituted, as from 10 July 1967, for the words “seventeen thousand seven hundred pounds”, and “seven hundred and fifty-two pounds one shilling and eightpence” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

15 Adjustments in riding accounts of Wairewa County Council

Whereas the Wairewa County Council in each year from the thirty-first day of March, nineteen hundred and fifteen, until the thirty-first day of March, nineteen hundred and twenty-six, regarded the cost of the construction and maintenance of a certain road in the county known as the Motukarara-Hill-top Road as general county expenditure and apportioned such cost amongst the ridings of the county—namely, the Kaituna, the Little River, and the Kinloch Ridings: And whereas certain questions have arisen as to whether the Kinloch Riding should have been charged with any proportion of such cost, and whether such cost ought to have been properly regarded as part of such general county expenditure: And whereas it is desirable that certain transfers and adjustments should be made as hereinafter appearing: Be it therefore enacted as follows:—

- (1) The Wairewa County Council is hereby authorized to make the transfers and adjustments between the various riding accounts, as follows—namely, the sum of nine hundred and fifteen dollars and forty-one and two-third cents shall be debited to the Little River Riding Account; the sum of five hundred and forty-eight dollars and fifty-eight and one-third cents shall be debited to the Kaituna Riding Account; the sum of one thousand four hundred and sixty-four dollars shall be credited to the Kinloch Riding Account:
- (2) The apportionments by the County Council of the cost of the construction and maintenance of the said Motukarara-Hilltop Road from the thirty-first day of March, nineteen hundred and fifteen, to the thirty-first day of March, nineteen hundred and twenty-six, amongst the said several ridings are hereby validated and declared to have been lawfully made.

The words “nine hundred and fifteen dollars and forty-one and two-third cents”, “five hundred and forty-eight dollars and fifty-eight and one-third cents”, and “one thousand four hundred and sixty-four dollars” were substituted, as from 10 July 1967, for the words “four hundred and fifty-seven pounds fourteen shillings and twopence”, “two hundred and seventy-four pounds five shillings and tenpence”, and “seven hundred and thirty-two pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

16 Validating certain expenditure by Southland County Council

The payment by the Southland County Council during the financial year ended on the thirty-first day of March, nineteen hundred and twenty-eight, of the sum of eighty dollars and sixty and five-sixth cents in celebrating the visit of His Excellency the Governor-General to Southland during the month of January, nineteen hundred and twenty-eight, is hereby validated.

The words “eighty dollars and sixty and five-sixth cents” were substituted, as from 10 July 1967, for the words “forty pounds six shillings and one penny” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

17 Validating certain loans raised by Hutt County Council for water-supply purposes

Whereas by section one hundred and twenty of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1917 (hereinafter referred to as the said section), certain provision was made for the Hutt County Council (hereinafter referred to as the said Council) to supply water for domestic and other purposes: And whereas pursuant to the said section the said Council raised the Paekakariki Water-supply Loan of ten thousand dollars, the Paekakariki Water-supply Ten per Cent Additional Loan of one thousand dollars, the Paraparaumu Water-supply Loan, 1928, of four thousand six hundred and forty dollars, and the Heretaunga Water-supply Loan, 1928, of one thousand four hundred dollars (hereinafter referred to as the said loans) for the purpose of supplying water within the areas more particularly defined in the proposals to raise the said loans (hereinafter referred to as the said areas): And whereas the said Council did not prior to raising the said loans declare the said areas to be water-race districts in terms of the Water-supply Act 1908: And whereas on account of the omission of the said Council so to declare the said areas to be water-race districts doubts have arisen as to the validity of the said loans: And whereas it is expedient to remove such doubts: And whereas by Order in Council dated the twenty-seventh day of August, nineteen hundred and twenty-eight, and gazetted on the thirtieth day of the same month, made under the Counties Act 1920, certain powers of Borough Councils with respect to waterworks were conferred on the said Council: And whereas it is expedient that the said section should be repealed: Be it therefore enacted as follows:—

- (1) The said loans shall be deemed to have been validly raised in all respects as if the said Council had first declared the said areas to be water-race districts.
- (2) All loan-moneys in respect of the said loans heretofore expended for the purposes for which the said loans were respectively raised shall be deemed to have been validly expended, and the said Council may expend the unexpended portions of any of such loan-moneys for the said

purposes in all respects as if the raising of the said loans had been valid *ab initio*.

- (3) Section one hundred and twenty of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1917, is hereby repealed.

The words “ten thousand dollars”, “one thousand dollars”, “four thousand six hundred and forty dollars”, and “one thousand four hundred dollars” were substituted, as from 10 July 1967, for the words “five thousand pounds”, “five hundred pounds”, “two thousand three hundred and twenty pounds”, and “seven hundred pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

18 Validating rates of Tauranga County Council for year ended 31st March, 1928

Whereas it was adjudged by the High Court on the fourteenth day of August, nineteen hundred and twenty-eight, that the rates made and levied by the Tauranga County Council for the year commencing on the first day of April, nineteen hundred and twenty-seven, and ending on the thirty-first day of March, nineteen hundred and twenty-eight, were *ultra vires* of the said local authority and void: And whereas on the seventeenth day of October, nineteen hundred and twenty-seven, the said local authority made and delivered demands in writing for payment of the said rates, and a large percentage of the said rates was, prior to the said judgment, paid by divers ratepayers, and it is advisable in the public interest and to prevent injustice to validate the said rates and to empower the said local authority to recover the balance thereof: Be it therefore enacted as follows:—

- (1) The valuation rolls used for compiling the rate-book wherein the said rates were recorded in and for the said year shall be deemed to be and to have been the correct valuation rolls, such rate-book shall be deemed to have been compiled in accordance with law, and to be and to have been valid and effectual accordingly; the rates made and levied or which the said local authority purported to make and levy in and for the above-mentioned year as appearing in the said rate-book shall be valid and be deemed to have been valid from the eighth day of July, nineteen hundred and twenty-seven, the date

when the said local authority purported to make and levy the same; the demands made by the said local authority for payment of such rates shall be and be deemed to have been valid, and the said rates shall be recoverable by the said local authority by action, notwithstanding the said judgment and notwithstanding that the valuation rolls and rate-book had not been advertised as open for inspection, or the omission of any condition whatsoever precedent to the making or levying of such rates, or any irregularity, mistake, or omission in the form or manner of making or levying the same or otherwise, and valid demands upon all persons liable for the said rates shall be conclusively presumed to have been duly made and delivered in accordance with law on the said seventeenth day of October, nineteen hundred and twenty-seven.

- (2) Nothing contained in this section shall be construed to take away the power of the local authority under subsection two of section fifty-seven of the Rating Act 1925, to correct errors (if any) existing in the said rate-book on the said eighth day of July, nineteen hundred and twenty-seven, which the said local authority could or ought to have corrected:
- (3) The additional charge of ten per centum chargeable in respect of the said rates under the provisions of section seventy-six of the Rating Act 1925, may be added to all the said rates remaining unpaid at the expiration of six months and fourteen days from the passing of this Act, and not otherwise, and shall be payable and recoverable accordingly; but such additional charge of ten per centum shall not be recoverable until the said local authority shall have publicly notified that the same will be added.
- (4) Judgment for the amount of any of the said rates due may be given or signed at any time within three years after the passing of this Act; provided, however, that judgment for so much of the said rates as may be due in respect of Maori land may be given against any owner

or occupier of that land at any time within four years after the passing of this Act.

The words “High Court” were substituted, as from 1 April 1980, for the words “Supreme Court” pursuant to section 12 Judicature Amendment Act 1979 (1979 No 124).

The word “Maori” was substituted, as from 27 November 1947, for the word “Native” pursuant to section 2(2) Maori Purposes Act 1947 (1947 No 59).

City and borough councils.

19 Authorizing Hastings Borough Council to utilize the unexpended balance of loan of \$71,200

Whereas the Hastings Borough Council, being duly authorized by a poll of ratepayers taken on the twenty-ninth day of September, nineteen hundred and twenty-six, raised a loan of seventy-one thousand two hundred dollars under the Local Bodies Loans Act 1913, for undertaking certain works in the Borough of Hastings, a portion of the said loan—namely, a sum of sixty thousand five hundred and twenty-eight dollars—being specifically allocated for expenditure on bitumen road surfacing in portions of the following streets: Avenue Road, St Aubyn Street, Market Street, King Street, Nelson Street, Queen Street, Eastbourne Street, Railway Road, Lyndon Road, Warren Street, Hastings Street, Southampton Street: And whereas those works have been completed for less than that sum, and it is desirable to authorize the said Council to expend the surplus in further bitumen road surfacing-works in the said Borough: Be it therefore enacted as follows:—

Notwithstanding anything to the contrary in the Local Bodies Loans Act 1926, or in any other Act, it shall be lawful for the Hastings Borough Council to expend any surplus of the said sum of sixty thousand five hundred and twenty-eight dollars not required for the purposes for which the said sum was allocated in constructing bitumen road surfacing in such other portions of the said borough as the Council thinks fit.

The words “seventy-one thousand two hundred dollars”, and “sixty thousand five hundred and twenty-eight dollars” were substituted, as from 10 July 1967, for the words “thirty-five thousand six hundred pounds”, and “thirty thousand two hundred and sixty-four pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

20 Authorizing Hastings Borough Council to utilize the unexpended balance of loan of \$13,200

Whereas the Hastings Borough Council, being duly authorized by a poll of ratepayers taken on the twenty-ninth day of September, nineteen hundred and twenty-six, raised a loan of thirteen thousand two hundred dollars under the Local Bodies Loans Act 1913, for undertaking certain works in the Borough of Hastings, a portion of such loan—namely, a sum of twelve thousand one hundred and sixteen dollars—being specifically allocated for the purpose of piping the following open drains: King Street (Queen Street to Nelson Street), Fitzroy Avenue (Tomoana Road to Gray’s Road), Tomoana Road (south from Fitzroy Avenue), north from Fitzroy Avenue (culvert), Nelson Street (south from Fitzroy Avenue), and timbering sides of Nelson Street drain north of Fitzroy Avenue: And whereas those works have been completed for less than that sum, and it is desirable to authorize the said Council to expend the surplus in piping and culverting further open drains in the said borough: Be it therefore enacted as follows:—

Notwithstanding anything to the contrary in the Local Bodies Loans Act 1926, or in any other Act, it shall be lawful for the Hastings Borough Council to expend any surplus of the said sum of twelve thousand one hundred and sixteen dollars not required for the purposes for which the said sum was allocated in piping and culverting open drains in such other portions of the said borough as the Council thinks fit.

The words “thirteen thousand two hundred dollars”, and “twelve thousand one hundred and sixteen dollars” were substituted, as from 10 July 1967, for the words “six thousand six hundred pounds”, and “six thousand and fifty-eight pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

21 Authorizing Morrinsville Borough Council to utilize unexpended balance of loan of \$43,000

Whereas the Morrinsville Borough Council, being duly authorized by a poll of ratepayers taken on the seventeenth day of April, nineteen hundred and twenty-four, raised a loan of forty-three thousand dollars under the Local Bodies Loans Act 1913, for undertaking certain works in the Borough of Morrinsville: And whereas such loan was specifically allocated for the formation, metalling, and binding in bitumen of

certain streets; the formation and metalling of certain other streets; the construction of concrete kerbs and channels in certain streets; the construction of asphalt footpaths in certain other streets; the formation and gravelling of footpaths where required in the said borough; and including the provision of storm-water drainage where required: And whereas the aforesaid works were completed for less than that sum, leaving an unexpended balance of four thousand six hundred and one dollars and sixty-six and a sixth cents: And whereas it is desirable to make provision in manner hereinafter appearing: Be it therefore enacted as follows:—

Notwithstanding anything to the contrary in the Local Bodies Loans Act 1926, or in any other Act, it shall be and at all times be deemed to have been lawful for the Morrinsville Borough Council to expend any surplus of the said sum of forty-three thousand dollars not required for the purposes for which the said sum was allocated, in such portions of the said borough and in such amounts as the said Council thinks fit for all or any of the following purposes—namely, the formation, metalling, and binding in bitumen or surface sealing of streets; the construction of concrete kerbs and channels in streets; the construction of asphalt footpaths in streets; and the provision of storm-water drainage.

The words “forty-three thousand dollars”, and “four thousand six hundred and one dollars and sixty-six and a sixth cents” were substituted, as from 10 July 1967, for the words “twenty-one thousand five hundred pounds”, and “two thousand three hundred pounds sixteen shillings and fivepence” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

22 Validating erection of certain buildings by Whangarei Borough Council on a recreation reserve and expenditure of funds on dental clinic

Whereas the land hereinafter described was acquired by the Whangarei Borough Council for the purposes of a recreation reserve: And whereas the said Council has caused to be erected on the said land a building to be occupied for the purposes of a ladies’ rest room, a school dental clinic, and Plunket Nurse rooms: And whereas the said Council had no authority in law to cause such building to be erected on the said land: And whereas the said Council had no authority in

law to expend funds on the erection of a school dental clinic:
Be it therefore enacted as follows:—

- (1) Notwithstanding anything to the contrary in any Act, the Whangarei Borough Council shall be deemed for all purposes to have been lawfully empowered to erect the said building on the said land and to expend funds on the erection of the said school dental clinic.
- (2) The land to which this section relates is particularly described as follows:—

All that area situated in the Borough of Whangarei, in the North Auckland Land District, containing by admeasurement three roods and nine and eight-tenths perches, being Lots 11, 12, and 13, and part Lots 15 and 16 on a plan deposited in the Land Registry Office at Auckland as Number 10925, and being portion Allotment 1, Parish of Whangarei.

23 Validating expenditure out of loan of \$5,000 raised by Green Island Borough Council for unemployment relief

Whereas the Green Island Borough Council, by special resolution dated the fifth day of July, nineteen hundred and twenty-six, authorized the raising of a loan of five thousand dollars for the purpose of providing for the relief of unemployment by the carrying-out of certain works specified in a schedule of works incorporated in the aforementioned special resolution: And whereas a Government subsidy was obtained on a proportion of such loan expenditure, thereby enabling the work hereinafter mentioned to be carried out in addition to that specified in the aforementioned schedule of works: Be it therefore enacted as follows:—

Notwithstanding anything to the contrary in the Local Bodies Loans Act 1926, or in any other Act, the expenditure of portion of the said loan of five thousand dollars by the Green Island Borough Council on the formation of Kars Street, in the Borough of Green Island, is hereby validated and declared to have been lawfully made.

The words “five thousand dollars” were substituted, as from 10 July 1967, for the words “two thousand five hundred pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

24 Authorizing Carterton Borough Council to expend certain unexpended loan-moneys

Whereas on the twenty-seventh day of April, nineteen hundred and twenty-seven, the ratepayers of the Borough of Carterton duly carried a proposal to raise a special loan of seventeen thousand dollars for the purpose of supplementing the existing high-pressure water-supply from the present terminal point of the nine-inch main on Chester Road to Pembroke Street in the said Borough of Carterton by means of an eight-inch pipe: And whereas the whole of such loan-moneys was more than sufficient to carry out the said scheme, and there remains in the hands of the Carterton Borough Council an unexpended balance of the said loan amounting to the sum of two hundred and twenty-five dollars thirty-seven and a half cents: And whereas the said Council desires to expend such balance in further reticulation of the said borough by means of mains of smaller dimensions than those set out in the said loan proposal: Be it therefore enacted as follows:—

The Carterton Borough Council is hereby authorized to expend the said unexpended balance of the said special loan of seventeen thousand dollars in further reticulation of the Borough of Carterton by means of mains of less than eight inches in diameter.

The words “seventeen thousand dollars”, and “two hundred and twenty-five dollars thirty-seven and a half cents” were substituted, as from 10 July 1967, for the words “eight thousand five hundred pounds”, and “one hundred and twelve dollars thirteen shillings and ninepence” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

25 Validating payment by Wellington City Council of cost of advertising in supplement to the London Times

The payment by the Wellington City Council of the sum of one thousand two hundred dollars out of its District Fund Account, being the cost of a full-page advertisement in the supplement to the Times newspaper published in London simultaneously with the arrival in New Zealand of Their Royal Highnesses the Duke and Duchess of York is hereby validated and declared to have been lawfully made.

The words “one thousand two hundred dollars” were substituted, as from 10 July 1967, for the words “six hundred pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

26 Wellington City Te Aro Reclamation Loan of \$50,000 extinguished

- (1) The Wellington City Improvements Loan Sinking Fund Commissioners are hereby authorized to discharge memorandum of mortgage number 8964, dated the ninth day of February, eighteen hundred and eighty-eight, from the Mayor, Councilors, and Citizens of the City of Wellington to Joseph Ellett Page and Thomas Frederic Martin, and the loan known as **The Wellington City Te Aro Reclamation Loan of Fifty Thousand Dollars** is accordingly extinguished.
- (2) The charges for interest and sinking fund on any loan raised to pay off the Wellington City Improvements Loan shall be paid out of the rents of the Te Aro Reclamation.

The words "Fifty Thousand Dollars" were substituted, as from 10 July 1967, for the words "Twenty-five Thousand Pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

27 Authorizing Devonport Borough Council to lease certain area to Auckland Rugby Football Union

- (1) Notwithstanding anything to the contrary in the Municipal Corporations Act 1920, or any other Act, the Devonport Borough Council is hereby authorized and empowered to lease to the trustees for the time being of the Auckland Rugby Football Union such portion as it deems fit of the lands vested in it as described in certificate of title, Volume 442, folio 100, Auckland Registry, being Section 5, Block VI, of the Rangitoto Survey District, and part of the land adjoining reclaimed from the sea and being Lot 2 on plan deposited in the Land Registry Office at Auckland as Number 19288, and part of the land shown on plan deposited as aforesaid as Number 693, or to grant by way of license to the said trustees any rights, easements, or privileges affecting the said lands as it may deem fit.
- (2) Such lease or license shall be for a term not exceeding twenty-one years, and shall be at such rental (whether nominal or otherwise) and upon such terms and conditions as may be agreed upon between the parties, and the said Council is hereby empowered to grant and execute such lease or license.

28 As to exchange of certain land between Devonport Borough Council and General Trust Board of the Diocese of Auckland

Whereas the Corporation of the Borough of Devonport (hereinafter called the Corporation) is seized in fee-simple of that piece of land being Lot 4 on plan deposited in the Land Transfer Office at Auckland under Number 19255, being part of the land comprised in certificate of title, Volume 440, folio 217, Auckland Registry: And whereas the General Trust Board of the Diocese of Auckland (hereinafter called the Board) is seized in fee-simple of that piece of land containing one rood twenty-five and seven-tenths perches, more or less, being portion of Lot 26A of Section 2, Parish of Takapuna, bounded on the south-west by other part of said Lot 26A, 298.31 links; on the south-east by Mount Victoria Reserve, 151.31 links; on the north-east by other part of said Lot 26A, 266.5 links; and on the north-west by Albert Road, 52.81 links, 73.01 links, and 15.26 links; the said land being the southern portion of the lands comprised in deed of conveyance, registered number 123865, Auckland Registry: And whereas the lands secondly above described form part of a closed cemetery and are subject to the provisions of the Burial and Cremation Act 1964, although no portion of such lands has ever been used for the burial of the dead: And whereas the said parties by agreement dated the eleventh day of July, nineteen hundred and twenty-eight, have agreed upon an exchange of the said lands freed from any restrictions and encumbrances whatever: And whereas doubts have arisen as to the powers of the said parties in that behalf, and it is expedient to sanction the said exchange: Be it therefore enacted as follows:—

- (1) The said parties are hereby empowered to enter into and carry into effect the said-in-part-recited agreement for exchange.
- (2) Upon the due execution by the Board of a deed of conveyance or other assurance to the Corporation of the lands secondly above described in pursuance of the said agreement, the said lands shall vest in the Corporation for an estate in fee-simple and unencumbered free and clear of all trusts, restrictions, and reservations affect-

ing the same, anything to the contrary in the Burial and Cremation Act 1964, or any other Act notwithstanding.

The Cemeteries Act 1908 (1908 No 19) was repealed, as from 1 April 1965, by section 61(1) Burial and Cremation Act 1964 (1964 No 75).

29 Authorizing exchange of certain land by Alexandra Borough Council

Whereas the Corporation of the Borough of Alexandra (hereinafter called the Corporation) is seized of an estate in fee-simple in trust for an endowment in aid of the borough funds in all that parcel of land situated in the Town of Alexandra, containing by admeasurement one rood, more or less, being Section 12, Block XIII, on the public map of the said Town of Alexandra, and being part of the land comprised in certificate of title registered in the Land Registry Office at Dunedin in register-book, Volume 106, folio 107: And whereas the Alexandra Borough Council desires to exchange the said parcel of land for Section 9, Block XXIX, Town of Alexandra, containing by admeasurement two roods twenty-one and three-tenths perches, more or less: Be it therefore enacted as follows:—

- (1) The Alexandra Borough Council is hereby authorized and empowered to transfer Section 12, Block XIII, on the public map of the Town of Alexandra to Thomas William Sanders, of Alexandra, runholder, in consideration of the said Thomas William Sanders transferring to the Corporation Section 9, Block XXIX, on the public map of the said town.
- (2) On its acquisition by the Corporation the said Section 9 shall be held in trust as part of the borough endowment, and the said Section 12 on its being transferred to the said Thomas William Sanders shall be freed and discharged of the trust theretofore affecting it.

30 Changing purposes of portion of special loan of \$100,000 by Wanganui City Council

Whereas the Gonville Town Board in the year nineteen hundred and nineteen raised, under the Local Bodies Loans Act 1913, a special loan of one hundred thousand dollars called **The Gonville Town Board Drainage and Water-sup-**

ply Extensions and Streets Construction Loan of One Hundred Thousand Dollars (hereinafter referred to as the said loan): And whereas one of the purposes for which the said loan was raised was the providing of extensions of the existing water-supply system by laying water-mains in the streets in the Gonville Town District, and the provision of all appliances, plant, and things necessary or convenient for the efficient working and use of the said supply or incidental thereto, and the sum of twenty-one thousand dollars of the said loan was allocated to such purpose: And whereas on the first day of April, nineteen hundred and twenty-four, the Gonville Town District and the Borough of Wanganui were declared to be a united borough, and the area formerly comprised in the said town district (hereinafter referred to as the Gonville area) now forms part of the City of Wanganui: And whereas for the purpose of providing an efficient water-supply for the Gonville area it is necessary to lay a main or mains through other streets in other parts of the said city connecting the mains in that area with the trunk main of the city at the intersection of the Great North Road and Parsons Street, and it is proposed to use such portion of the said sum of twenty-one thousand dollars as shall or may be necessary for such purpose: Be it therefore enacted as follows:—

Notwithstanding anything to the contrary in the Local Bodies Loans Act 1926, or any other Act, the Wanganui City Council may use, pay, or apply such portion of the said sum of twenty-one thousand dollars as it may consider necessary for the purpose of providing an efficient water-supply for the Gonville area by laying a main or mains through streets in other parts of the City of Wanganui connecting the mains in the Gonville area with the trunk main of the city at the intersection of the Great North Road and Parsons Street.

The words “one hundred thousand dollars”, and “twenty-one thousand dollars” were substituted, as from 10 July 1967, for the words “fifty thousand pounds”, and “ten thousand five hundred pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

31 Validating certain expenditure by Mount Eden Borough Council on Mount Eden Domain

Whereas the control of that portion of the Borough of Mount Eden known as the Mount Eden Domain is vested in the Mount Eden Borough Council (hereinafter called the Council) under the provisions of Part 2 of the Public Reserves and Domains Act 1908: And whereas during the financial year ended the thirty-first day of March, nineteen hundred and twenty-seven, the Council raised a loan of two hundred and twenty thousand dollars, which included the sum of nine thousand dollars for additions to the Borough Council Chambers and the sum of four thousand dollars for the erection of a tea kiosk on the said domain: And whereas after carrying out the necessary additions to the Borough Council Chambers there remained out of the said sum of nine thousand dollars an unexpended balance amounting to one thousand seven hundred and thirty-two dollars: And whereas the said sum of four thousand dollars raised for the erection of a kiosk on the said domain proved to be insufficient for that purpose: And whereas the Council utilized the said unexpended balance of one thousand seven hundred and thirty-two dollars in completing the kiosk and carrying out work incidental thereto: And whereas the raising of the said loan of four thousand dollars and the expenditure thereof in the erection of the kiosk and the performance of work on the domain and the expenditure of the said balance of one thousand seven hundred and thirty-two dollars in completing the erection of the kiosk was without authority of law, and it is expedient to validate the same: Be it therefore enacted as follows:—

The raising of the sum of four thousand dollars under the provisions of the Local Bodies Loans Act 1926, by the Council for the erection of a tea kiosk on the Mount Eden Domain, and the expenditure of such sum of four thousand dollars on the erection of the said kiosk and the expenditure of the said sum of one thousand seven hundred and thirty-two dollars, being the unexpended balance of the sum of nine thousand dollars raised for additions to the Borough Council Chambers on the completion of the erection of the said kiosk, are hereby validated.

The words “two hundred and twenty thousand dollars”, “nine thousand dollars”, “four thousand dollars”, and “one thousand seven hundred and thirty-two dollars” were substituted, as from 10 July 1967, for the words “one hundred and ten thousand pounds”, “four thousand five hundred pounds”, “two thousand pounds”, and “eight hundred and sixty-six pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

32 Validating union of City of Auckland with the Orakei Road District

Whereas by a Proclamation (hereinafter referred to as the first Proclamation) made under the Municipal Corporations Act 1920, dated the twenty-eighth day of March, nineteen hundred and twenty-eight, and published in the *Gazette* of the twenty-ninth day of the same month, the City of Auckland and the Tamaki Road District were declared to be one united borough under the name of the City of Auckland on and from the first day of April, nineteen hundred and twenty-eight: And whereas by a further Proclamation (hereinafter referred to as the second Proclamation) dated the twenty-eighth day of March, nineteen hundred and twenty-eight, and gazetted on the twenty-ninth day of the same month, but made under the authority of the Municipal Corporations Act 1920, and section seventy-nine of the Local Legislation Act 1927, the City of Auckland and the Orakei Road District were declared to be one united borough under the name of the City of Auckland on and from the said first day of April, nineteen hundred and twenty-eight: And whereas the City of Auckland so purported to be united with the Orakei Road District was the united borough constituted by the first Proclamation: And whereas doubts have arisen as to the validity of the second Proclamation: Be it therefore enacted as follows:—

- (1) The second Proclamation shall for all purposes be deemed to have validly effected the union of the City of Auckland, as constituted by the first Proclamation, with the Orakei Road District so as to form one united borough under the Municipal Corporations Act 1920, to be known by the name of the City of Auckland, with boundaries as set out in the second Proclamation.
- (2) The persons chosen pursuant to section one hundred and forty of the Municipal Corporations Act 1920, by the

Tamaki Road Board and the Orakei Road Board respectively to be Councillors of the City of Auckland until the next general election of Councillors of the said city are hereby declared to have been validly chosen.

- 33 Validating expenditure by certain City and Borough Councils in respect of visit of Argentine Training Ship “Presidente Sarmiento” and Japanese Training Squadron**
It shall be and be deemed to have been lawful for the Auckland City Council, the Wellington City Council, and the Palmerston North Borough Council to expend out of their respective general funds any sum or sums of money for the purpose of celebrating the visit to New Zealand of the Argentine Training Ship “Presidente Sarmiento” and the Japanese Training Squadron, and of welcoming, entertaining, and otherwise providing hospitality to the Commanders, officers, and men of the vessels during their visit to New Zealand, or of contributing to any fund established for any of such purposes.
- 34 Authorizing St Kilda Borough Council to contribute towards erection of buildings by St Kilda Beach Improvement Society (Incorporated)**
The St Kilda Borough Council is hereby empowered to expend out of its District Fund such sum or sums as it thinks fit, not exceeding the sum of six hundred dollars, towards assisting the St Kilda Beach Improvement Society (Incorporated) in the provision of conveniences for both sexes on the Ocean Beach Domain.
The words “six hundred dollars” were substituted, as from 10 July 1967, for the words “three hundred pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).
- 35 Validating expenditure incurred by Rangiora Borough Council in connection with jubilee celebrations**
The expenditure by the Rangiora Borough Council during the financial year ending on the thirty-first day of March, nineteen hundred and twenty-nine, of the sum of one hundred and sixty dollars in connection with the Rangiora Borough jubilee cele-

brations is hereby validated and declared to have been lawfully made.

The words “one hundred and sixty dollars” were substituted, as from 10 July 1967, for the words “eighty pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

36 Validating certain expenditure by Greymouth Borough Council in connection with jubilee celebrations

Whereas the Greymouth Borough Council (hereinafter called the Council) lately authorized certain celebrations to commemorate between the twenty-sixth day of February and the third day of March, nineteen hundred and twenty-eight, the jubilee of the constitution of the Borough of Greymouth, and incurred in connection therewith certain liabilities: And whereas the Council received on account of the expenses of such celebrations certain moneys from public subscriptions: And whereas such moneys proved insufficient to satisfy the whole of such liabilities, and it is desirable to authorize the Council to pay out of its District Fund the amount required over and above the amount of such public subscriptions, and to validate the action of the Council in incurring such liabilities: Be it therefore enacted as follows:—

- (1) The action of the Council in authorizing the said celebrations and incurring the said liabilities is hereby validated.
- (2) The Council is hereby authorized to apply the said public subscriptions and also to pay out of the General Account of the District Fund of the said borough a sum not exceeding eight hundred and forty dollars for the purposes of satisfying such liabilities.

The words “eight hundred and forty dollars” were substituted, as from 10 July 1967, for the words “four hundred and twenty pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

37 Authorizing Takapuna Borough Council to refund certain rates

Whereas the name of the Takapuna Tramways and Ferry Company, Limited, appeared on the first day of April, nineteen hundred and twenty-seven, in the district valuation roll for the borough of Takapuna and in the rate-book of the said borough as

the owner of a tramway track in the streets of the said borough valued at forty thousand dollars: And whereas on the twenty-seventh day of April, nineteen hundred and twenty-seven, the said company ceased running tram-cars on such track, and such track thereupon became valueless and entailed liabilities on the said company: And whereas it is equitable that a remission of the whole or a part of the rates levied upon the said company be made: Now, therefore, be it enacted as follows:— The Council of the Borough of Takapuna is hereby empowered to remit the whole or any part of the rates assessed and charged upon the said company by the said Council in respect of such tramway for the year ending on the thirty-first day of March, nineteen hundred and twenty-eight.

The words “forty thousand dollars” were substituted, as from 10 July 1967, for the words “twenty thousand pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

38 Authorizing Devonport Borough Council to raise a loan for street-widening and recreation-area purposes and to recoup General Account

Whereas the Devonport Borough Council has taken, under the Public Works Act 1981—(a) For the purpose of widening Victoria Road, situate within the Borough of Devonport, all those pieces or parcels of land situate in the Provincial District of Auckland, containing together seven and six-hundredths perches, being portion of Lots 1, 2, 3, and 4 of Lot 5A of Allotment 20, portion of Lots 1 and 2 of the southern portion of Allotment 20A, and portion of Allotment 20A of Section 2 of the Parish of Takapuna, as the same is more particularly delineated on the plan Number 70658, deposited in the office of the Minister of Public Works; (b) for the purpose of extending the recreation reserve known as Cheltenham Beach, all those pieces or parcels of land situate in the Provincial District of Auckland, containing together one rood sixteen and sixteen-hundredths perches, more or less, being portion of Lots 7, 8, 9, and 10 on a plan deposited in the Land Transfer Office at Auckland under Number 17548, and being part of Allotment 12 of Section 2 of the Parish of Takapuna, as the same is more particularly delineated on plan Number 68728, deposited in the office of the Minister of Public Works; (c) for

the purpose also of extending the said recreation reserve, all that piece or parcel of land situate in the Provincial District of Auckland, containing one rood three and three-tenths perches, more or less, being Lot 1 on a plan deposited in the Land Transfer Office at Auckland under Number 3604, part of Allotment 10 of Section 2 of the Parish of Takapuna, as the same is more particularly delineated on plan Number 69733, deposited in the office of the Minister of Public Works: And whereas the said Council proposes to raise a special loan under the Local Bodies Loans Act 1926, of a sum not exceeding nine thousand dollars for the purpose of payment of compensation-moneys and expenses in connection with the taking of the said land: And whereas in anticipation of the raising of such special loan the Borough Council has made certain payments in respect of the said purposes out of its General Account: And whereas it is expedient to make provision in manner hereinafter appearing: Be it therefore enacted as follows:—

- (1) The said Council may raise a special loan as if for a public work under the Local Bodies Loans Act 1926, for the amount of the said compensation-moneys and other expenses as aforesaid.
- (2) Notwithstanding anything to the contrary in any Act, the said Council may out of the proceeds of the said special loan repay to its General Account any moneys paid out of the said General Account on account of such compensation-moneys or other expenses.

The words “nine thousand dollars” were substituted, as from 10 July 1967, for the words “four thousand five hundred pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

The Public Works Act 1908 (1908 No 160) was repealed, as from 6 October 1928, by section 346 Public Works Act 1928 (1928 No 21). That Act was in turn repealed, as from 1 February 1982, by section 248(1) Public Works Act 1981 (1981 No 35).

39 Authorizing Lower Hutt Borough Council to transfer certain area to His Majesty

Whereas by Proclamation dated the sixteenth day of January, nineteen hundred and five, the land described in subsection two hereof was taken for sanitary purposes and thereby became vested in the Corporation of the Borough of Lower Hutt:

And whereas the said land is no longer required for the purposes for which it was taken: And whereas in connection with the Hutt Valley Lands Development Scheme and a deviation of the Day's Bay Road, described in subsection three hereof, negotiations have been entered into between the Crown and the Lower Hutt Borough Council whereby it has been agreed that in consideration of the costs of the legalization and construction of the said deviation being borne by the Crown the Lower Hutt Borough Council shall transfer to His Majesty the land described in subsection two hereof: And whereas it is expedient that the said Council should be empowered to transfer the said land to His Majesty: Be it therefore enacted as follows:—

- (1) Notwithstanding anything to the contrary in the Public Works Act 1981, or any other Act, the Lower Hutt Borough Council may transfer to His Majesty the area described in subsection two hereof in consideration of the costs of the legalization and construction of the road-deviation described in subsection three hereof being borne by the Crown.
- (2) The land which may be so transferred to His Majesty is more particularly described as follows:—

All that area in the Wellington Land District, containing by admeasurement five acres and twenty-nine and seventy-six hundredths perches, more or less, being part of Sections 15 and 77, Hutt Registration District, and being part of Lot 2, DP 985, situated in the Borough of Lower Hutt, and bounded as follows: towards the north by Lot 1, DP 985, for a distance of 979.93 links, from the south-eastern corner of the said Lot 1 to the proposed road-deviation; towards the west by the said proposed road-deviation for a distance of 1393.18 links; towards the south by Section 20 for a distance of 135.4 links, and towards the east by Lot 3 on the said DP 985 for a distance of 1273.3 links, to the point of commencement: as the same is more particularly delineated on plan numbered 169/30, deposited in the Wellington District Office of the Department of Lands and Survey, and thereon bordered neutral tint.

- (3) The proposed road-deviation is more particularly described as follows:—

All that piece or parcel of land eighty feet in width situated in the Borough of Lower Hutt and the County of Hutt, commencing at a point on the southern side of Park Road near its junction with Randwick Road, and proceeding thence in a south-easterly direction, passing through the Hutt Racecourse Reserve, the Waiwhetu Pa Subdivisions 3, 2A, 2B2, 2B1, 2C, 1D, 1C, 1B, and 1A, thence through Section 15, Hutt Registration District; Lots 1 and 2, DP 985, and Section 20 of the aforesaid district, terminating at the Gracefield Road: as the same is more particularly delineated on plan numbered 169/30, deposited in the Wellington District Office of the Department of Lands and Survey.

The Public Works Act 1908 (1908 No 160) was repealed, as from 6 October 1928, by section 346 Public Works Act 1928 (1928 No 21). That Act was in turn repealed, as from 1 February 1982, by section 248(1) Public Works Act 1981 (1981 No 35).

40 Authorizing certain expenditure by Ashburton Borough Council

The Ashburton Borough Council is hereby authorized and shall be deemed to have been so authorized as from the first day of April, nineteen hundred and twenty-eight, to expend a sum not exceeding two hundred dollars during the financial year ending the thirty-first day of March, nineteen hundred and twenty-nine, in connection with the Ashburton Borough jubilee celebrations.

The words “two hundred dollars” were substituted, as from 10 July 1967, for the words “one hundred pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

41 Validating certain expenditure by Kaiapoi Borough Council

The expenditure by the Kaiapoi Borough Council of the sum of two hundred dollars in connection with the Kaiapoi Borough Jubilee celebrations is hereby validated and declared to have been lawfully made.

The words “two hundred dollars” were substituted, as from 10 July 1967, for the words “one hundred pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

42 Validating certain expenditure by Invercargill Borough Council

The payment by the Invercargill Borough Council during the financial year ended on the thirty-first day of March, nineteen hundred and twenty-eight, of the sum of thirty-eight dollars and thirty-two and a half cents in celebrating the visit of His Excellency the Governor-General to Invercargill during the month of January, nineteen hundred and twenty-eight, is hereby validated.

The words “thirty-eight dollars and thirty-two and a half cents” were substituted, as from 10 July 1967, for the words “nineteen pounds three shillings and threepence” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

43 Validating certain expenditure by Levin Borough Council

The payment by the Levin Borough Council during the financial year ended on the thirty-first day of March, nineteen hundred and twenty-seven, of the sum of seventy-four dollars and thirty cents in celebrating the visit of His Excellency the Governor-General to Levin on the fifteenth day of September, nineteen hundred and twenty-six, is hereby validated.

The words “seventy-four dollars and thirty cents” were substituted, as from 10 July 1967, for the words “thirty-seven pounds three shillings” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

44 Authorizing certain adjustments among Takapuna, Devonport, and Northcote Borough Councils as to cost of certain sanitary works

Whereas by requisition under the Health Act 1920, duly made in writing under the seal of the Board of Health (hereinafter referred to as the Board), and dated the twelfth day of April, nineteen hundred and twenty-seven, the Board required the Councils of the Boroughs of Devonport, Northcote, Takapuna, and Birkenhead to provide certain sanitary works—namely, works for the collection and disposal of refuse, including a destructor and vehicles—the work to be carried out to the satisfaction of the Medical Officer of Health for the district in

which the said Boroughs are situated: And whereas the Councils of the Boroughs of Devonport, Takapuna, and Northcote (hereinafter referred to as the contributing authorities), with the approval of the Board of Health, duly resolved to combine for the purpose of providing the sanitary works ordered by the said requisition to be provided and all matters and things incidental thereto, upon terms that the costs and expenses of and incidental to the provision of the said works and purchase of a site for the same and the construction of a roadway on such site and all other expenses necessary or incidental to compliance with the said requisition or incidental thereto shall be borne by the respective Corporations of the said Boroughs in proportion to the rateable capital value of the property in each respective borough as at the first day of April, nineteen hundred and twenty-seven, as certified to by the officer in charge of the Government Valuation Department at Auckland, except that the Corporation of the Borough of Takapuna being the owner of the site has already paid the whole price thereof: And whereas the contributing authorities have fixed and agreed upon a site for the said works situated within the Borough of Takapuna, and the Corporation of the Borough of Takapuna has purchased the same: And whereas the contributing authorities, pursuant to the said requisition and an agreement in writing between them bearing date the sixteenth day of December, nineteen hundred and twenty-seven, have accepted a tender by one William Forrest Marshall for the erection of a destructor, and have mutually agreed that the said work shall be carried out under the supervision of the Takapuna Borough Council: And whereas the Takapuna Borough Council has paid, in anticipation of loan and of reimbursement according to their several liabilities by the Councils of the Boroughs of Devonport and Northcote, divers sums for or incidental to the purchase of the said site and in or about the construction of the works matters or things hereinbefore mentioned, and it is desirable to empower the said Takapuna Borough Council to pay by way of advance out of its District Fund Account in anticipation of loan and of ultimate financial adjustment with the other contributing authorities the whole cost of all such works, matters,

and things hereinbefore mentioned requisite to comply with the said requisition: Be it therefore enacted as follows:—

- (1) The Takapuna Borough Council is hereby, and shall be deemed always to have been, empowered to pay by way of advance out of its District Fund Account all sums necessary to be expended or incurred by the contributing authorities in complying with the said requisition or incidental thereto in anticipation of loan and ultimate financial adjustment with the remaining contributing authorities according to their several liabilities.
- (2) It shall be lawful for the Councils of the Boroughs of Devonport and Northcote, from time to time as occasion may require, to pay by way of advance out of the respective District Fund Accounts of the said boroughs the whole or any part of the proper contributions of the said two boroughs to the total cost of compliance with the said requisition or incidental thereto (including payment of a proportion of the purchase-money of the said site for the works), and also to pay to the Takapuna Borough Council their proper proportions of a sum being interest at a rate not exceeding fourteen dollars per centum per annum on the moneys advanced by the Takapuna Borough Council in excess of its share of the expenditure aforesaid, and all payments that may already have been paid by the Councils of the Boroughs of Devonport and Northcote for any of the purposes aforesaid are hereby validated.
- (3) It shall be lawful for the contributing authorities to adjust and settle accounts *inter se* and to make all such payments from time to time as may be necessary for compliance with the said requisition or incidental thereto according to the just liability of the said respective boroughs.
- (4) Notwithstanding anything to the contrary in the Local Bodies Loans Act 1926, it shall be lawful for the contributing authorities by special order to raise under the provisions of that Act the proper contributions of the said several boroughs to the total cost of complying with the said requisition or incidental thereto, and including

such sums as may be necessary to reimburse the District Fund Accounts of the contributing boroughs for all advances made out of such District Fund Accounts under subsection two hereof.

The words “fourteen dollars” were substituted, as from 10 July 1967, for the words “seven pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

The Health Act 1920 (1920 No 45) was substituted, as from 1 January 1957, by a reference to the Health Act 1956 pursuant to section 140(1) Health Act 1956 (1956 No 65).

45 Changing purposes of certain land vested in Greytown Borough Council

Whereas the land described in subsection four hereof is vested for cemetery purposes in the Corporation of the Borough of Greytown (hereinafter referred to as the said Corporation), but the said land is not suitable for such purposes: And whereas the land described in subsection five hereof forms portion of an area vested in the said Corporation for the purposes of a public park and recreation reserve, and such land is deemed suitable for use for cemetery purposes: And whereas in order to provide a more suitable cemetery area it is desired to change in the manner hereinafter provided the purposes for which the said lands are vested as aforesaid: Be it therefore enacted as follows:—

- (1) The purpose for which the land described in subsection four hereof is vested in the said Corporation is hereby changed from that of a cemetery reserve to that of a public park and recreation reserve, and the said land shall hereafter be held and administered for such changed purpose by the said Corporation, but with all the powers conferred on the Corporation by the Greytown Reserves Vesting and Disposal Enabling Act 1901, and subject in all respects to the provisions of that Act.
- (2) The purpose for which the land described in subsection five hereof is vested is hereby changed from that of a public park and recreation reserve to that of a cemetery reserve, and the said land shall hereafter be held and administered by the said Corporation for such changed purpose.

(3) The District Land Registrar for the Land Registration District of Wellington is hereby empowered to make such entries in the registers as may be necessary to give full effect to the provisions of this section.

(4) The land to which subsection one hereof relates is particularly described as follows:—

All that area in the Wellington Land District, containing by admeasurement ten acres and eight-tenths of a perch, more or less, being part Section 38, Moroa Block, Block XIII, Tiffin Survey District, and being all the land comprised in certificate of title, Volume 114, folio 126, Wellington Registry.

(5) The land to which subsection two hereof relates is particularly described as follows:—

All that area in the Wellington Land District, containing by admeasurement eight acres one rood twelve perches, more or less, being part Section 38, Moroa Block, Block XIII, Tiffin Survey District, and bounded as follows: commencing at the easternmost corner of the said Section 38, and proceeding in a north-westerly direction along the north-eastern boundary of the said section for a distance of 1250 links to the easternmost corner of Section 39, Moroa Block; thence in a south-westerly direction along the south-eastern boundary of the said Section 39 for a distance of 666 links to the southernmost corner thereof; thence in a south-easterly direction by a right line parallel to and 666 links distant from the north-eastern boundary of the said Section 38 to the Featherston-Greytown Road, a distance of 1250 links; thence in a north-easterly direction along the aforesaid road for a distance of 666 links to the point of commencement, and being part of the land comprised in certificate of title, Volume 114, folio 127, Wellington Registry.

46 Special provisions with respect to widening of Bond Street, in the City of Wellington

[Repealed]

Section 46 was repealed, as from 26 October 1935, by section 8 Local Legislation Act 1935 (1935 No 33).

47 Conferring extended powers of leasing on Wanganui City Council in respect of certain reserve

Whereas by certificate of title bearing date the eighteenth day of December, eighteen hundred and eighty-six, Register Book Volume 43, folio 213, Wellington Registry, the Corporation of the Borough of Wanganui was declared seized of an estate in fee-simple in all that piece of land containing two thousand acres, more or less, situate in the Provincial District of Wellington, being Sections 1, 2, and 3 of Block VI, on the public map of the Mangawhero Survey District, and now stands seized of such land, save and excepting thereout the lands taken for public roads under certain Proclamations and subject to memorandum of lease dated the twelfth day of May, nineteen hundred and eight, registered Number 7771, to one Roger Arnulph Montgomerie: And whereas the said lands were granted as a public reserve in trust as an endowment in aid of the Wanganui Borough Funds: And whereas on the first day of April, nineteen hundred and twenty-four, the Borough of Wanganui was declared a city under the style of the City of Wanganui, and thereupon all property of the borough vested in the Corporation of the City of Wanganui: And whereas it is expedient to confer on the Wanganui City Council additional leasing-powers in respect of the said lands: Be it therefore enacted as follows:—

- (1) Notwithstanding anything to the contrary in the Reserves Act 1977, the Wanganui City Council may exercise in respect of the said lands comprised in certificate of title, Volume 43, folio 213, Wellington Registry, all the powers of leasing conferred on it by the Municipal Corporations Act 1920, with respect to lands held by it for municipal purposes under that Act. The powers of leasing hereby conferred shall be

in addition to and not in substitution for the powers of leasing the land conferred by the Reserves Act 1977.

- (2) The said City Council may in respect of the said lands accept a surrender of the said memorandum of lease dated the twelfth day of May, nineteen hundred and eight, registered Number 7771, and may grant to the lessee a new lease of the lands comprised therein for the remainder of the term of years by the said lease Number 7771 granted, at such rent and upon such terms and conditions as are authorized by the said Municipal Corporations Act 1920, as the Council by special order may determine.

The Public Reserves and Domains Act 1908 (1908 No 156) was substituted, as from 1 April 1929, by a reference to the Public Reserves, Domains, and National Parks Act 1928 pursuant to section 103 Public Reserves, Domains, and National Parks Act 1928 (1928 No 36). That reference was in turn substituted, as from 1 April 1954, by a reference to the Reserves and Domains Act 1953 pursuant to section 107(1) Reserves and Domains Act 1953 (1953 No 69). That reference was in turn substituted, as from 1 April 1978, by a reference to the Reserves Act 1977 pursuant to section 125(1) Reserves Act 1977 (1977 No 66).

48 Special provisions regarding taking over of private drain at Scarborough by Sumner Borough Council

Whereas a private drain has been constructed serving a number of properties at Scarborough, in the Borough of Sumner: And whereas a petition has been received by the Sumner Borough Council (hereinafter referred to as the Council) from a majority of the persons whose properties are served by the drain praying that the Council declare the drain a public drain: And whereas the Council is prepared to do so, but there is an outstanding liability of two hundred and forty dollars in connection with the deviation and repair of the said drain: And whereas there is no authority at law for the Council to raise the said sum of two hundred and forty dollars by way of special loan secured over the properties served by the drain, and it is undesirable that the said liability should be met out of the general revenues of the borough: And whereas it is expedient to make provision as hereinafter appearing: Be it therefore enacted as follows:—

- (1) Upon declaring the said private drain to be a public drain pursuant to the Municipal Corporations Act 1920,

the Council may apportion the said liability of two hundred and forty dollars among the property-owners whose properties are served by the said drain on the basis of the unimproved value of such properties as appearing on the district valuation roll at the date of such declaration.

- (2) The amounts so apportioned shall be payable to the Council by half-yearly instalments extending over a period of not more than ten years, with interest at the rate of not more than seven per centum per annum on the amount of principal from time to time outstanding. Instalments of principal and interest payable hereunder shall be recoverable as a rate in the same manner as instalments payable pursuant to an agreement under section two hundred and twenty-eight of the Municipal Corporations Act 1920, and the provisions of that section shall, with the necessary modifications, apply.
- (3) The Council may pay the said sum of two hundred and forty dollars out of moneys standing to the credit of its General Account. Payment of any portion of the said sum already made is hereby validated.
- (4) Notwithstanding anything in the Local Bodies Finance Act 1921-22, the limits imposed by that Act as to the amount that may be outstanding by way of bank overdraft are hereby extended in the case of the Council to cover the amount from time to time outstanding by way of instalments pursuant to this section.

The words "two hundred and forty dollars" were substituted, as from 10 July 1967, for the words "one hundred and twenty pounds" pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

Town boards.

49 Validating raising of loan by Huntly Town Board for erection of shops

Whereas by a poll of the ratepayers of the Town District of Huntly taken under the Local Bodies Loans Act 1913, on the twenty-ninth day of August, nineteen hundred and twenty-five, the Huntly Town Board was authorized to raise a loan of twenty-four thousand dollars for the purpose of

erecting and furnishing municipal buildings in Huntly: And whereas the said loan was duly raised: And whereas the proceeds thereof were unlawfully applied in erecting and constructing two shops in the said municipal buildings as well as for the purposes for which the loan was raised: And whereas pursuant to a resolution of the said Town Board passed on the fifteenth day of March, nineteen hundred and twenty-seven, a further loan of two thousand four hundred dollars was raised under section nineteen of the Local Bodies Loans Act 1926, for the purpose of completing the erection and furnishing of the said municipal buildings: Be it therefore enacted as follows:—

Notwithstanding anything to the contrary in any Act, the expenditure of the said loan-moneys in or towards the erection and construction of shops as hereinbefore mentioned is hereby validated.

The words “twenty-four thousand dollars”, and “two thousand four hundred dollars” were substituted, as from 10 July 1967, for the words “twelve thousand pounds”, and “twelve hundred pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

50 Validating certain unauthorized expenditure by the Helensville Town Board

The expenditure by the Helensville Town Board during the financial year ended the thirty-first day of March, nineteen hundred and twenty-seven, of the sum of seven dollars and fifty-five cents, being a subscription to the Municipal Association of New Zealand, and the sum of ten dollars, being a donation to the Returned Soldiers’ Roll of Honour for the Helensville Public Library, is hereby validated and declared to have been lawfully made.

The words “seven dollars and fifty-five cents” and “ten dollars” were substituted, as from 10 July 1967, for the words “three pounds fifteen shillings and sixpence” and “five pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

51 Authorizing Huntly Town Board to raise a loan for municipal buildings and to recoup the General Account

Whereas by a poll of ratepayers of the Town District of Huntly taken under the Local Bodies Loans Act 1913, on the twenty-

ninth day of August, nineteen hundred and twenty-five, the Huntly Town Board (hereinafter referred to as the Board) was authorized to raise a loan of twenty-four thousand dollars for the purpose of purchasing a site and erecting thereon municipal buildings in Huntly: And whereas the said loan was duly raised: And whereas pursuant to a resolution of the Board passed on the fifteenth day of March, nineteen hundred and twenty-seven, a further loan of two thousand four hundred dollars was raised under section nineteen of the Local Bodies Loans Act 1926, for the purpose of completing the erection and the furnishing of the said municipal buildings: And whereas the said loans of twenty-four thousand dollars and two thousand four hundred dollars have proved insufficient for the purposes for which the said loans were raised: And whereas the sum of two thousand nine hundred and seventy-eight dollars has been paid out of the General Account of the Board for the purposes for which the said loans were raised, and the further sum of seven hundred and seventy dollars is required for such purposes: And whereas a poll of ratepayers was taken by the Board on the twenty-fourth day of March, nineteen hundred and twenty-eight, upon a proposal to raise a special loan of two thousand dollars under the Local Bodies Loans Act 1926, for the purpose of completing the purposes for which the said loans of twenty-four thousand dollars and two thousand four hundred dollars were raised: And whereas the said proposal was carried: And whereas the Board cannot lawfully raise the said loan of two thousand dollars: And whereas the Board is desirous of raising the said loan of two thousand dollars and of paying thereout the said sum of seven hundred and seventy dollars and of refunding to the General Account the sum of one thousand two hundred and thirty dollars, being the balance of the said loan: And whereas it is expedient that the Board should be so empowered: Be it therefore enacted as follows:—

The Board is hereby authorized to raise the said loan of two thousand dollars for the purpose of completing the purposes for which the said loans of twenty-four thousand dollars and two thousand four hundred dollars were raised, and may out

of the proceeds thereof refund to the General Account the sum of one thousand two hundred and thirty dollars.

The words “twenty-four thousand dollars”, “two thousand four hundred dollars”, “two thousand nine hundred and seventy-eight dollars”, “seven hundred and seventy dollars”, “two thousand dollars”, and “one thousand two hundred and thirty dollars” were substituted, as from 10 July 1967, for the words “twelve thousand pounds”, “one thousand two hundred pounds”, “one thousand four hundred and eighty-nine pounds”, “three hundred and eighty-five pounds”, “one thousand pounds”, and “six hundred and fifteen pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

52 Changing purpose of expenditure of certain loan-moneys by Manurewa Town Board

Whereas the Manurewa Town Board (hereinafter called the Board) was duly authorized by a poll of ratepayers of the Manurewa Town District taken on the sixth day of September, nineteen hundred and twenty-four, to raise under the Local Bodies Loans Act 1913, a special loan of three thousand dollars for the purposes stated as follows in the proposal submitted to the ratepayers—namely, “for cemetery, dump, and work thereon”: And whereas prior to the taking of the said poll the Board made it known to the ratepayers that the money would be used in acquiring and developing land suitable for the said purposes: And whereas after the taking of the said poll the Board in due form (a) laid a memorial before the Governor-General praying that the piece of land situated in Block XIV of the Otahuhu Survey District, being Lot 4 on a plan deposited in the Land Registry Office at Auckland, under Number 12046, be taken under the Public Works Act 1981, for the purposes of the disposal of refuse, rubbish, and nightsoil; and (b) laid a memorial before the Governor-General praying that the piece of land situated in the said Block XIV of the Otahuhu Survey District, being Lot 5 on the said deposited plan numbered 12046 be taken under the Public Works Act 1981, for the purpose of a cemetery: And whereas the said Lots 4 and 5 are contiguous: And whereas on the thirtieth day of September, nineteen hundred and twenty-six, the Governor-General, by two Proclamations, declared the said Lots 4 and 5 to be taken for the respective purposes aforesaid, and on the eleventh day of October, nineteen hundred and twenty-six, the said lands became vested in the Board: And whereas the Board has duly

raised the special loan and has paid thereout the compensation and costs duly awarded to the owner of the said Lots 4 and 5: And whereas the Board has determined that the said Lot 5 is insufficient for the purposes of a cemetery, and desires in addition to use Lot 4 for that purpose: Be it therefore enacted as follows:—

Notwithstanding anything contained in the Local Bodies Loans Act 1926, the Public Works Act 1981, or the said Proclamations of the thirtieth day of September, nineteen hundred and twenty-six, the Board may—

- (a) Use the said Lot 4 for the purposes of a cemetery:
- (b) Expend the whole of the said loan-moneys for the purposes of a cemetery.

The words “three thousand dollars” were substituted, as from 10 July 1967, for the words “one thousand five hundred pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

The Public Works Act 1908 (1908 No 160) was repealed, as from 6 October 1928, by section 346 Public Works Act 1928 (1928 No 21). That Act was in turn repealed, as from 1 February 1982, by section 248(1) Public Works Act 1981 (1981 No 35).

53 Authorizing Huntly Town Board to grant to Huntly War Memorial Club license to occupy portions of Huntly Municipal Buildings

[Repealed]

Section 53 was repealed, as from 25 November 1947, by section 17(3) Local Legislation Act 1947 (1947 No 56).

Harbour boards.

54 Validating payment by Auckland Harbour Board of cost of advertising in the supplement to the London Times

The payment by the Auckland Harbour Board of the sum of one thousand two hundred dollars out of its Harbour Fund Account, being the cost of a full-page advertisement in the supplement to the Times newspaper published in London simultaneously with the arrival in New Zealand of their Royal Highnesses the Duke and Duchess of York, is hereby validated and declared to have been lawfully made.

The words “one thousand two hundred dollars” were substituted, as from 10 July 1967, for the words “six hundred pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

55 Validating certain expenditure by Lyttelton Harbour Board

Whereas the Lyttelton Harbour Board was empowered by section fifty-one of the Local Legislation Act 1927, to pay out of its Harbour Fund a sum not exceeding one thousand dollars towards the cost of the preparation and publication of an historical handbook in connection with the celebration of the jubilee of the Board: And whereas the cost of the said publication did not exceed the sum of seven hundred and eighty-nine dollars and twenty-five cents, and the sum of two hundred and ten dollars and seventy-five cents, being the balance of the said sum of one thousand dollars, was expended by the Board in connection with the general expenses of the said celebration: And whereas it is expedient to validate such expenditure: Be it therefore enacted as follows:—

The expenditure by the Lyttelton Harbour Board out of the said sum of one thousand dollars of the sum of two hundred and ten dollars and seventy-five cents on the general expenses connected with the celebration of the said jubilee is hereby validated and declared to have been properly incurred.

The words “one thousand dollars”, “seven hundred and eighty-nine dollars and twenty-five cents”, and “two hundred and ten dollars and seventy-five cents” were substituted, as from 10 July 1967, for the words “five hundred pounds”, “three hundred and ninety-four pounds twelve shillings and sixpence”, and “one hundred and five pounds seven shillings and sixpence” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

56 Authorizing Wairoa Harbour Board to make certain transfers from interest accounts to General Account

Whereas the Wairoa Harbour Board (hereinafter referred to as the Board) under the authority conferred by the Wairoa Harbour Board Empowering and Loan Act 1909, and the Wairoa Harbour Board Empowering and Loan Act 1918, borrowed sums totalling in the aggregate one hundred and seventy thousand dollars for harbour-works for the Harbour of Wairoa, and under the authority conferred by the Wairoa Harbour Board Empowering and Loan Act 1919, borrowed the sum of sixty-

four thousand dollars for harbour-works for the harbour at Waikokopu: And whereas special rates have been made and levied as security for the moneys so borrowed, and the office, clerical, legal, and other expenses incurred by the Board in collecting such rates have heretofore been met out of the General Account of the Board: And whereas it is desirable that such expenses for the financial year ended on the thirtieth day of September, nineteen hundred and twenty-eight, should be paid out of the respective interest accounts kept in respect of each of the said loans: Be it therefore enacted as follows:—

The Board may in respect of the financial year ending on the thirtieth day of September, nineteen hundred and twenty-eight, transfer to its General Account from the interest accounts kept by it in respect of each of the several loans raised as aforesaid such sums as in the opinion of the Audit Office represent the office, clerical, legal, and other expenses of the Board of any nature whatsoever in respect of the levying, collecting, and recovery of the rates as aforesaid.

The words “one hundred and seventy thousand dollars”, and “sixty-four thousand dollars” were substituted, as from 10 July 1967, for the words “eighty-five thousand pounds”, and “thirty-two thousand pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

Electric-power boards.

57 Authorizing Central Hawke’s Bay Electric-power Board to vary purposes of expenditure of loan of [\$300,000]

Whereas the Central Hawke’s Bay Electric-power Board was on the third day of October, nineteen hundred and twenty-three, duly authorized by the ratepayers of its district to raise a loan of three hundred thousand dollars to be allocated amongst the purposes set out in the loan proposal in the proportions specified therein: And whereas the amounts raised by the Board for the said purposes are insufficient for some and are more than sufficient for others of the said purposes: And whereas it is expedient that the Board should be authorized to expend such loan-moneys for the said purposes in the manner hereinafter provided instead of in the manner authorized as aforesaid: Be it therefore enacted as follows:—

Notwithstanding anything to the contrary in the Local Bodies Loans Act 1926, or in any other Act, it shall be lawful for the said Board, with the prior consent of the Local Government Loans Board, to apply the moneys borrowed, or to be borrowed under the authority aforesaid, in such manner as the said Local Government Loans Board determines, to the carrying-out of the purposes for which the loan was authorized, irrespective of the specific amounts allocated to the said purposes in the said loan proposal.

The words “three hundred thousand dollars” were substituted, as from 10 July 1967, for the words “one hundred and fifty thousand pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

**58 Authorizing diversion of certain loan-moneys by
Wairarapa Electric-power Board**

Whereas the Wairarapa Electric-power Board (hereinafter called the Board) was on the seventh day of September, nineteen hundred and twenty-two, authorized by the ratepayers of the Wairarapa Electric-power District to raise under the Local Bodies Loans Act 1913, a loan of one hundred thousand dollars for the purpose of financing intending consumers of electric energy in the said district, and to provide for stocks of motors, fittings, and electrical appliances, with necessary land, buildings, and storage accommodation, as set out in the proposal submitted to the ratepayers: And whereas it has been found that the whole of such amount of one hundred thousand dollars is not required for such purpose as set out in the said proposal: And whereas it is expedient that the Board should be authorized to apply in the generation, distribution, and utilization of electric energy in the said district such portion of the said sum of one hundred thousand dollars as is not required for such purposes as aforesaid, and also such sums as from time to time are received by it from the sale of such stocks and as repayment of advances by consumers who have been financed in respect of installations by the Board: Be it therefore enacted as follows:—

- (1) Notwithstanding anything to the contrary in the Local Bodies Loans Act 1926, or in any other Act, it shall be lawful for the Board to expend from time to time in

the generation, distribution, and utilization of electric energy in the Wairarapa Electric-power District—

- (a) Such portions of the said loan of one hundred thousand dollars as may not be required for the purposes for which it was raised:
 - (b) Any portion or portions of such sums as may from time to time be received by it from sales of motors, fittings, and electrical appliances, and as repayments of advances by consumers who have been financed in respect of installations by the Board.
- (2) The diversion of the loan-moneys hereby authorized shall be subject to the approval of the Local Government Loans Board being obtained thereto.

The words “one hundred thousand dollars” were substituted, as from 10 July 1967, for the words “fifty thousand pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

59 Authorizing Dannevirke Electric-power Board to vary purposes of expenditure of loan of [\$350,000]

Whereas the Dannevirke Electric-power Board was on the sixth day of September, nineteen hundred and twenty-two, duly authorized by the ratepayers of the Dannevirke Electric-power District to raise under the Local Bodies Loans Act 1913, a loan of three hundred and fifty thousand dollars, to be allocated amongst the purposes set out in the loan proposal in the proportions specified therein: And whereas the amounts raised by the Board for the said purposes are insufficient for some and are more than sufficient for others of the said purposes: And whereas it is expedient that the Board should be authorized to expend such loan-moneys for the said purposes in the manner hereinafter provided instead of in the manner authorized as aforesaid: Be it therefore enacted as follows:—

Notwithstanding anything to the contrary in the Local Bodies Loans Act 1926, or in any other Act, it shall be lawful for the said Board, with the prior consent of the Local Government Loans Board, to apply the moneys borrowed, or to be borrowed pursuant to the authority aforesaid, in such manner as the Local Government Loans Board determines, to the carrying-out of the purposes for which the loan was authorized, ir-

respective of the specific amounts allocated to the purposes in the loan proposal.

The words “three hundred and fifty thousand dollars” were substituted, as from 10 July 1967, for the words “one hundred and seventy-five thousand pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

60 Special provision with respect to expenditure of loan of [\$270,000] by Waitaki Electric-power Board

Whereas the Waitaki Electric-power Board (hereinafter termed the Board), by a poll of ratepayers taken on the seventh day of March, nineteen hundred and twenty-four, under the provisions of the Local Bodies Loans Act 1913, was authorized to raise a loan of two hundred and seventy thousand dollars (hereinafter termed the said loan) for the purposes of acquiring the electric works of the Corporation of the Borough of Oamaru, the purchase and installation of electrical equipment, the payment of preliminary expenses, the acquiring of dwellings for workers, and for the construction by the Board of electric works: And whereas of the said loan of two hundred and seventy thousand dollars the sum of two hundred and fifty-six thousand four hundred dollars has been raised, and it is the intention of the Board to raise the whole of the said loan: And whereas since the date of the said poll the outer area of the district of the said Board was by a Proclamation dated the fourth day of April, nineteen hundred and twenty-eight, and published in the *Gazette* of the fifth day of the same month, extended by including therein certain land in the Hakataramea Survey District originally part of the outer area of the district of the South Canterbury Electric-power Board, and described in the Schedule to the said Proclamation: And whereas the Board desires to spend part of the said loan-moneys for the purpose of supplying electricity within the said added outer area: And whereas the security for the said loan of two hundred and seventy thousand dollars is an annually recurring special rate of fifteen ninety-sixths of a cent in the dollar upon the rateable value (on the basis of the capital value) of all rateable property in the Waitaki Electric-power District: And whereas the Board has already spent part of the said loan-moneys within such added area, and doubts have arisen as to whether the Board can lawfully

apply any part of the said loan-moneys for that purpose, and it is desirable that the Board should be authorized and empowered so to do: And whereas the ratepayers within such added outer area will now obtain the same benefits as the ratepayers within the Waitaki Electric-power District, and it is desirable that the Board should have power to make and levy the same rate within such added outer area as within the district: Be it therefore enacted as follows:—

- (1) It shall be and shall be deemed to have been lawful for the Board to expend part of the said loan for the purpose of erecting the necessary poles, wiring system, and plant, and doing all things for and incidental to the supply of electricity within the said area of land in the Hakataramea Survey District so added to the outer area of the district of the Board.
- (2) Notwithstanding anything to the contrary in the Local Bodies Loans Act 1926, or any other Act, the area added as aforesaid to the outer area of the Waitaki Electric-power District shall be deemed to be included within the area over which the special rate was made and levied as aforesaid as security for the said loan, and all rateable property within the said added area shall be liable to the special rate and shall be rated accordingly.

The words “two hundred and seventy thousand dollars”, “two hundred and fifty-six thousand four hundred dollars” and “fifteen ninety-sixths of a cent in the dollar” were substituted, as from 10 July 1967, for the words “one hundred and thirty-five thousand dollars”, “one hundred and twenty-eight thousand two hundred dollars”, and “three eighths of a penny in the pound” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

61 Validating payment of interest and sinking fund out of loan-moneys by Teviot Electric-power Board

Whereas the Teviot Electric-power Board (hereinafter referred to as the Board) was on the nineteenth day of January, nineteen hundred and twenty-two, duly authorized by the ratepayers of the Teviot Electric-power District to raise under the Local Bodies Loans Act 1913, a special loan of seventy thousand dollars for the purpose of generating and distributing electric energy throughout the said district and outer area, and on the twenty-first day of November, nineteen hundred and

twenty-four, raised under section eighteen of the said Local Bodies Loans Act 1913, an additional loan of seven thousand dollars (being ten per centum of the seventy thousand dollars loan) for the purpose of completing the aforesaid works: And whereas the Board paid out of the said loans interest and sinking-fund charges thereon amounting to six thousand four hundred and fourteen dollars for the financial year ended the thirty-first day of March, nineteen hundred and twenty-five: And whereas the said payment was not made in conformity with the requirements of section 68 of the Electric-power Boards Act 1925: And whereas it is expedient to validate the said payment: Be it therefore enacted as follows:—

The payment by the Teviot Electric-power Board out of the said loan of seventy thousand dollars and the additional loan of seven thousand dollars of the said interest and sinking-fund charges, amounting to six thousand four hundred and fourteen dollars, is hereby validated and declared to have been lawfully made.

The words “seventy thousand dollars”, “seven thousand dollars”, and “six thousand four hundred and fourteen dollars” were substituted, as from 10 July 1967, for the words “thirty-five thousand pounds”, “three thousand five hundred pounds”, and “three thousand two hundred and seven pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

62 Validating repayment of certain rates by Wairere Electric-power Board

Whereas the Wairere Electric-power Board on the sixth day of March, nineteen hundred and twenty-five, made and levied a general rate of five-sixths of a cent in the dollar on the unimproved value of all rateable property situated in the Wairere Electric-power District for the financial year ended on the thirty-first day of March, nineteen hundred and twenty-five: And whereas the said Board received from certain ratepayers in the said district on account of the said general rate the total sum of one hundred and ninety-nine dollars and ninety-five cents: And whereas after receiving the said sum the said Board resolved that no further payments on account of the said general rate should be demanded or collected and that the said payments, amounting in all to the said sum of one hundred and ninety-nine dollars and ninety-five cents, be

refunded: And whereas in pursuance of the said resolution the said sum was on the twelfth day of March, nineteen hundred and twenty-six, duly refunded to the said several ratepayers who had paid the same: And whereas the said refund was without authority of law, and it is desired to validate the same: Be it therefore enacted as follows:—

The said repayments by way of refund by the Wairere Electric-power Board of the total sum of one hundred and ninety-nine dollars and ninety-five cents to the ratepayers of the said district, being the several amounts paid by them on account of the said general rate for the financial year ended on the thirty-first day of March, nineteen hundred and twenty-five, are hereby validated.

The words “five-sixths of a cent in the dollar”, and “one hundred and ninety-nine dollars and ninety-five cents” were substituted, as from 10 July 1967, for the words “twopence in the pound”, and “ninety-nine pounds nineteen shillings and sixpence” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

Drainage and river boards.

63 Validating payment of honorarium by Orton Drainage Board

Whereas the Orton Drainage Board was constituted on the twenty-fifth day of March, nineteen hundred and twenty-two: And whereas the said Board, being unable to find any other competent person willing and able to undertake the duties of Secretary and Treasurer to the said Board, requested one of its members, one Newman Chennells, of Opuatia, farmer, to undertake such duties: And whereas the said Newman Chennells undertook and carried out such duties from the sixteenth day of June, nineteen hundred and twenty-two, until the second day of July, nineteen hundred and twenty-six: And whereas the said Board at divers times during the years nineteen hundred and twenty-five, nineteen hundred and twenty-six, and nineteen hundred and twenty-seven paid to the said Newman Chennells, as an honorarium for his services and to reimburse him for expenses incurred by him in connection therewith, certain moneys, amounting in the whole to four hundred and four dollars: And whereas doubts

have arisen as to the validity of such payments: And whereas the services rendered by the said Newman Chennells to the said Board were of considerable value to the ratepayers of the Orton Drainage District, and it is desirable that the doubts as to the validity of such payments should be set at rest: Be it therefore enacted as follows:—

Notwithstanding anything to the contrary in any Act, the payment of each of the said sums, amounting in all to the sum of four hundred and four dollars, by the Orton Drainage Board to the said Newman Chennells as an honorarium for his services to the said Board is hereby validated and declared to have been lawfully made, and the said Newman Chennells is hereby declared to have been lawfully entitled to accept the same.

The words “four hundred and four dollars” were substituted, as from 10 July 1967, for the words “two hundred and two pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

64 Authorizing Dunedin Drainage and Sewerage Board to incur expenditure in the construction of a drain outside its district

Whereas the Dunedin Drainage and Sewerage Board is desirous of laying a drain to connect with the sewage system of the Board certain buildings proposed to be erected on the Ocean Beach Domain by the St Kilda Beach Improvement Society (Incorporated): And whereas the said proposed buildings are intended for the use and convenience of surf-bathers and other frequenters of the beach: And whereas the land on or through which the said drain would be laid is beyond the district of the said Board as defined by the Dunedin District Drainage and Sewerage Act 1900: And whereas it is expedient to authorize the Board to incur expenditure in the construction and laying-down of the said drain: Be it therefore enacted as follows:—

It shall be lawful for the Dunedin Drainage and Sewerage Board to construct the drain hereinbefore referred to and charge the cost of the same against the funds of the Board.

65 As to overdraft of Manawatu-Oroua River Board for year ending 31st March, 1929

The Manawatu-Oroua River Board may, in pursuance of the provisions of the Local Bodies Finance Act 1921-22, in anticipation of its revenue for the financial year ending on the thirty-first day of March, nineteen hundred and twenty-nine, borrow from its bankers by way of overdraft, or from any person or persons, a sum not exceeding three-fourths of the total revenue of the Board for the financial year ended the thirty-first day of March, nineteen hundred and twenty-seven.

Education authorities.

66 Empowering [Council of the University of Auckland] to transfer certain land to Auckland Education Board

Whereas the land hereinafter described is vested in the Council of the University of Auckland (hereinafter called the Council) for an estate in fee-simple: And whereas the Council is desirous of donating the said piece of land to the Education Board of the District of Auckland as a school-site: Be it therefore enacted as follows:—

- (1) The Council is hereby empowered to transfer to the Education Board of the District of Auckland without receiving any payment therefor the land hereinafter described, and the said land shall be held by the said Board in trust for the purposes of a public-school site subject to the provisions of the Education Reserves Act 1908, and the District Land Registrar is hereby empowered and directed to register such transfer accordingly on completion of such surveys (if any) as may be necessary.
- (2) The land to which this section relates is particularly described as follows:—

All that piece of land, containing five acres and two perches, more or less, being Lot 22B of the subdivision of part Allotment 463, Parish of Taupiri, as shown on plan deposited in the Land Transfer Office at Auckland under Number 20685, being part of the land comprised in certificate of title, Volume 377, folio 240, Auckland Registry.

“Council of the University of Auckland” was substituted for “Auckland University College Council”, as from 16 October 1957, by section 5 University of Auckland Amendment Act 1957 (1957 No 25).

67 Authorizing Wellington Education Board to sell site of Board’s offices and of Technical School

Whereas in accordance with the provisions of the Wellington School of Design and Exchange Act 1890, the land hereinafter described was vested in the Education Board of the District of Wellington as a site for an office for the said Board and as a site for a school of Arts, Design, and Technics: And whereas such site has been used for many years partly for the purposes of an Education Board office, and partly for the purposes of a Technical School: And whereas other provision has been made for the Technical School, and it is desirable to transfer the Education Board offices to another site: Be it therefore enacted as follows:—

- (1) The said land shall be no longer subject to the provisions of section three of the said Wellington School of Design and Exchange Act 1890.
- (2) The Education Board of the District of Wellington is hereby authorized to sell the said land at such price and on such terms and conditions as may be approved by the Governor-General.
- (3) The said Education Board is hereby authorized to expend such part of the proceeds of such sale as may be approved by the Governor-General in the purchase of another site, in the erection or alteration of buildings thereon, and in equipment for Board offices.
- (4) The Board is further authorized to expend from the proceeds such sum as may be determined by the Governor-General in the erection of approved buildings for technical-school purposes in the City of Wellington.
- (5) The balance of the proceeds (if any) shall be expended as the Governor-General shall determine in payment for sites that have been or may hereafter be purchased for public schools or secondary schools in the City of Wellington and for the erection of school buildings thereon.
- (6) The land herein referred to is particularly described as follows: All that piece or parcel of land situate in the

City of Wellington, containing by admeasurement one rood seven and four-tenths perches, more or less, being Section 1 of Block IV of Reserve K, Te Aro Reclamation, and being the whole of the land in certificate of title, Volume 57, folio 146: as the same is delineated on plan numbered A/259, deposited in the Land Registry Office at Wellington.

Affecting two or more classes of local authorities.

68 Authorizing Auckland Harbour Board to accept from Devonport Borough Corporation the sum of \$4,000 for certain reclamation works

Whereas by section three of the Auckland Harbour Board Empowering Act 1927, it was declared that it should be lawful for the Auckland Harbour Board and the Corporation of the Borough of Devonport to carry into effect the agreement set out in Schedule 1 to the said Act: And whereas the works described in clauses one and two of the said agreement have been carried out, and the amount payable by the Corporation to the Board in pursuance of clause three thereof is six thousand three hundred and seventy-seven dollars and thirty-two and a half cents: And whereas no amount has been credited by the Board for dredging for the purposes of navigation, owing to its having been found impracticable to use the spoil from such dredging for the purposes of the reclamation: And whereas the Board and the Corporation have agreed that the works described in the said agreement are of benefit to both parties, and that the Corporation should pay to the Board the sum of four thousand dollars in satisfaction of the Board's claim for six thousand three hundred and seventy-seven dollars and thirty-two and a half cents: Be it therefore enacted as follows:—

The Corporation is hereby empowered to pay and the Board is hereby empowered to accept in full satisfaction of its claim as aforesaid against the Corporation the sum of four thousand dollars, with interest thereon at the rate of twelve dollars per centum per annum from the eleventh day of July, nineteen hundred and twenty-eight, until actual payment of such sum.

The words “six thousand three hundred and seventy-seven dollars and thirty-two and half cents”, “four thousand dollars”, and “twelve dollars” were substituted, as from 10 July 1967, for the words “three thousand one hundred and eighty-eight pounds thirteen shillings and threepence”, “two thousand pounds”, and “six pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

69 Authorizing Timaru Harbour Board to sell certain area of land to Timaru Borough Council

Whereas the Timaru Harbour Board (hereinafter called the Board) is possessed of an estate in fee-simple, subject to the right of the Governor-General to erect certain works thereon, of the land hereinafter described: And whereas the Timaru Borough Council desires to purchase the said land for the purpose of exchanging it for certain Crown land in the occupation of the Government Railways Department which the Council requires for street-widening purposes: And whereas the Board desires to sell the said land to the said Council for the sum of one thousand dollars, but has no power to sell the same: Be it therefore enacted as follows:—

- (1) Notwithstanding anything contained in any Act, the Board is hereby empowered, in consideration of the payment of a sum of not less than one thousand dollars, to sell the land hereinafter described to the Timaru Borough Council, free of encumbrance other than the right of the Governor-General to erect certain works as set out in the certificate of title issued in respect of such land.
- (2) The land to which this section relates is particularly described as follows: All that piece or parcel of land shown on a plan prepared by George Arthur Bridges, of Timaru, licensed surveyor, and duly verified by him by statutory declaration made on the fifth day of July, nineteen hundred and twenty-eight, being part of the land comprised in Certificate of Title Register-book, Volume 150, folio 123, Canterbury Registry.

The words “one thousand dollars” were substituted, as from 10 July 1967, for the words “five hundred pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

70 Authorizing Wellington City Council and Wellington Harbour Board to contribute towards proposed Dominion Museum and Dominion Art Gallery

- (1) The Wellington City Council (hereinafter termed the Council) is hereby authorized to pay out of its District Fund towards the cost of erection on the Mount Cook site, in the City of Wellington, of a building or buildings for the Dominion Museum and the Dominion Art Gallery the sum of thirty thousand dollars, by five equal annual payments of six thousand dollars each in each financial year after the passing of this Act, or by such other earlier payments as the Council shall by resolution determine.
- (2) The Council may, pending the payment to the controlling authority of the Dominion Museum and the Dominion Art Gallery of any moneys so appropriated, invest all such moneys in the following manner:—
 - (a) In New Zealand Government securities;
 - (b) On deposit in any bank lawfully carrying on the business of banking in New Zealand; or
 - (c) In the Common Fund of the Public Trust Office.
- (3) The Wellington Harbour Board (hereinafter termed the Board) is hereby authorized to pay out of its Harbour Fund for the purposes mentioned in subsection one of this section the sum of ten thousand dollars, and may to that end appropriate in any financial year during the period of five years next after the thirtieth day of September, nineteen hundred and twenty-eight, such sums as it thinks fit, being not less than two thousand dollars in any one year, until the sum of ten thousand dollars is appropriated for this purpose.
- (4) The Board may pay over to the controlling authority of the Dominion Museum and the Dominion Art Gallery any moneys so appropriated when and as the Board thinks fit, and pending payment may place the whole or any part thereof on deposit at interest in the manner provided by section 95 of the Harbours Act 1923.
- (5) The interest accruing from any moneys deposited by the Board shall be applied either for the purposes mentioned in subsection one of this section or for the purchase of works of art for the Dominion Art Gallery or articles or exhibits for the Do-

minion Museum aforesaid as shall be directed by the Board by resolution.

- (6) Notwithstanding anything contained in this section, if substantial progress in the erection of the building or buildings mentioned in subsection one of this section be not made within seven years from the date of the passing of this Act, the Board may by resolution cancel the appropriation of all or any of the moneys appropriated for the erection of the said building or buildings, and thereupon the moneys the appropriation of which shall have been so cancelled, together with the accumulations thereof, shall be repaid into the Harbour Fund.

Subsection (5) was amended, as from 13 November 1934, by section 21(1) Local Legislation Act 1934 (1934 No 33) by inserting after the words “Art Gallery”, the words “or articles or exhibits for the Dominion Museum”.

The words “thirty thousand dollars”, “six thousand dollars”, “ten thousand dollars”, and “two thousand dollars” were substituted, as from 10 July 1967, for the words “fifteen thousand pounds”, “three thousand pounds”, “five thousand pounds”, and “one thousand pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

71 Making provision with respect to exchange of certain land between Otago Harbour Board and Otago Education Board

Whereas by section one hundred and eighty-eight of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1924, the Otago Harbour Board (hereinafter called the Harbour Board) was empowered to transfer to the Education Board of the District of Otago (hereinafter called the Education Board) any part of the endowment of the Harbour Board in the City of Dunedin, not exceeding five acres in area, for the purposes of a school-site, and the Education Board was empowered to transfer to the Harbour Board in exchange therefor Sections 2, 3, 4, 7, and 12, Block LXIX, City of Dunedin, freed from any trust for educational purposes: And whereas it has been agreed between the Harbour Board and the Education Board that an area of five acres situated in Block LXVI, City of Dunedin, shall be transferred to the Education Board in exchange for the said Sections 2, 3, 4, 7, and 12, Block LXIX aforesaid: And whereas parts of the said area agreed to be transferred to the Education Board—namely, Sections 5, 6, 7, 8, 9, and 10, Block LXVI,

City of Dunedin—have been leased by the Harbour Board, and it was agreed that the Harbour Board should purchase the interests of the lessees in the said sections and obtain the surrender of the leases: And whereas in consideration of the several payments made by the Harbour Board to the several lessees of the said sections the said lessees have transferred their leases to the Education Board, the Harbour Board not having power to accept surrenders of leases: And whereas it is necessary that the payments by the Harbour Board to the lessees and the expenditure by the Harbour Board on the erection of a footbridge over Leith Canal and on other matters incidental to the said exchange should be validated, and that the said leases should be deemed to have been surrendered: Be it therefore enacted as follows:—

- (1) The Harbour Board shall be deemed to have been lawfully empowered to make the payments made by the Harbour Board to the respective lessees of Sections 5, 6, 7, 8, 9, and 10, Block LXVI, City of Dunedin.
- (2) The Harbour Board is hereby empowered to make all further payments incidental to the said exchange, including the cost of the erection of the said footbridge.
- (3) The respective leases of the said Sections 5, 6, 7, 8, 9, and 10, Block LXVI, City of Dunedin, shall be deemed to have been surrendered to the Harbour Board as from the dates of the registration of the respective transfers thereof to the Education Board, and the District Land Registrar for the Land Registration District of Otago is hereby authorized and directed to note such surrender on the register and on the outstanding certificate of title.

- 72 Adjusting certain matters arising out of the exclusion from the County of Masterton and the inclusion in the Borough of Masterton of the area known as Lansdowne**
- Whereas by Order in Council dated the twenty-first day of March, nineteen hundred and twenty-one, and gazetted on the twenty-fourth day of the same month, the area described in the First Schedule thereto was declared to be excluded from the County of Masterton and included in the Borough of Masterton: And whereas the lands described in subsection

three hereof were at the date of the said Order in Council and are still used for the purposes of the supply of water to the said area: And whereas the said lands described in subsection three hereof, notwithstanding the exclusion of the said area from the said county and the inclusion thereof in the said borough, are still vested in the Corporation of the County of Masterton, and it is expedient that the same should be vested in the Corporation of the Borough of Masterton as both of the said Corporations are agreed: Be it therefore enacted as follows:—

- (1) The lands described in subsection three hereof are hereby declared to be no longer vested in the Corporation of the County of Masterton, but to be vested in the Corporation of the Borough of Masterton.
- (2) The District Land Registrar for the Land Registration District of Wellington is hereby empowered to make such entries in the register as may be necessary to give full effect to the provisions of this section.
- (3) The lands vested by this section in the Corporation of the Borough of Masterton are particularly described as follows:—

All that area in the Wellington Land District, containing by admeasurement twenty-four and one-tenth perches, more or less, situate in Block I of the Otahoua Survey District, and being part Section 72 of the Masterton Small-farm Settlement, and being all the land comprised in certificate of title, Volume 196, folio 87, Wellington Registry.

All that area in the Wellington Land District, containing by admeasurement four and eight-tenths perches, more or less, situate in Block I of the Otahoua Survey District, and being part Section 72 of the Masterton Small-farm Settlement, and being all the land comprised in certificate of title, Volume 263, folio 51, Wellington Registry.

All that area in the Wellington Land District, containing by admeasurement one rood eighteen and two-tenths perches, more or less, being part Section 76 of the Masterton Small-farm Settlement, and being part of Lot 2 on deposited plan numbered 972, and being all the land

comprised in certificate of title, Volume 186, folio 207, Wellington Registry.

73 Excluding certain area from Borough of Masterton and including it in County of Masterton

Whereas the portion of the Wellington-Napier Road hereinafter described lies along the boundary of the Borough of Masterton and is wholly within the said borough: And whereas by warrant under the Public Works Amendment Act 1909, dated the twentieth day of September, nineteen hundred and twenty-seven, and published in the *Gazette* of the twenty-second day of September, nineteen hundred and twenty-seven, the Governor-General directed that the said portion of road should on and after the said date of gazetting be under the control of the Masterton County Council, and further directed that the Masterton Borough Council should contribute the sum of six hundred dollars towards the cost of reconstruction of the said portion of road: And whereas it is desired by the Masterton County Council and the Masterton Borough Council that the said portion of road should be excluded from the Borough of Masterton and included in the County of Masterton: Be it therefore enacted as follows:—

- (1) The land comprised in that portion of the Wellington-Napier Road hereinafter described is hereby declared to be excluded from the Borough of Masterton and to be included in the County of Masterton.
- (2) The portion of the said Wellington-Napier Road to which this section relates is particularly described as follows:—

All that portion of the Wellington-Napier Road lying along the boundary between the Borough of Masterton and the County of Masterton, between the northern boundary of Section 65, Block I, Otahoua Survey District, and a point in line with the northern side of Fifth Street: as the same is more particularly delineated on the plan marked PWD 69709, deposited in the office of the Minister of Public Works at Wellington, and thereon coloured red and marked A-B.

- (3) The said warrant shall continue in force until altered or revoked under the provisions of the Public Works Amendment Act 1909.

The words “six hundred dollars” were substituted, as from 10 July 1967, for the words “three hundred pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

74 Authorizing Greymouth Borough Council to transfer certain area to Greymouth Harbour Board

Whereas the Corporation of the Borough of Greymouth is the owner in fee-simple of that parcel of land situate in the said Borough of Greymouth, being Section 46, Town of Greymouth, containing twelve perches, be the same a little more or less, having a frontage of 50 links to Gresson Street by a depth of 148 links: And whereas the said Corporation desires to transfer by way of gift the said parcel of land to the Greymouth Harbour Board (hereinafter called the Board) for the purposes of a sailors’ rest: Be it therefore enacted as follows:—

- (1) It shall be lawful for the Corporation to transfer and assure by way of gift the said parcel of land hereinbefore described to the said Board for the purposes of a sailors’ rest.
- (2) It shall be lawful for the Corporation to impose and include in any memorandum of transfer of the said land such terms and conditions as it shall deem reasonable, and particularly the following:—
That if the said land shall at any time be taken or used for any purpose other than a sailors’ rest, then the Board shall provide the necessary land and premises for a sailors’ rest in lieu of the land so taken or used.
- (3) The District Land Registrar for the Land Registration District of Westland is hereby authorized to register any such memorandum of transfer as aforesaid.

Miscellaneous.

75 Authorizing the Nelson Agricultural and Pastoral Association to transfer part of the Richmond Showground

to Richmond Borough Corporation for the Washbourn Memorial Park

Whereas by virtue of section seventy of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1917, all that piece of land situate in the District of Waimea East, in the Provincial District of Nelson, containing one hundred acres, more or less, being Sections 218 and 219 of the said District of Waimea East, was vested in the Nelson Agricultural and Pastoral Association (hereinafter referred to as the association), subject to the provisions of the said section seventy: And whereas a certificate of title, Volume 56, folio 164, has been issued by the District Land Registrar at Nelson for the said piece of land in the name of the association, but expressed to be subject to a first charge in favour of the Crown for the sum of sixteen hundred dollars: And whereas by section fifty-one of the Reserves and other Lands Disposal and Public Bodies Empowering Act 1918, the association was released from all liability in respect of the said sum of sixteen hundred dollars, and the said sum ceased to be a charge upon the said piece of land: And whereas the association desires to transfer to the Corporation of the Borough of Richmond part of the said piece of land, containing one acre, as and for a memorial to the late Hubert Oscar Washbourn, and to be known as the Washbourn Memorial Park: Be it therefore enacted as follows:—

The association is hereby empowered to transfer to the Corporation of the Borough of Richmond, in trust for recreation purposes as a memorial to the late Hubert Oscar Washbourn, to be known as the Washbourn Memorial Park, and without receiving any payment therefor, all that piece of land situated in the District of Waimea East, containing one acre, more or less, being part of section numbered 218 on the plan of the said district: bounded on the north-west, 333.33 links, on the north-east, 300 links; and on the south-east, 333.33 links, by other part of the said Section 218; and on the south-west, 300 links, by a public road; the north-western boundary of the said piece of land being parallel to and distant 100 links south-east-erly from the north-western boundary of the said Section 218:

and being part of the land comprised in certificate of title, Volume 56, folio 164, Nelson Registry.

The words “sixteen hundred dollars” were substituted, as from 10 July 1967, for the words “eight hundred pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

76 Validating purchase of land by Petone and Lower Hutt Gas-lighting Board

Whereas the Petone and Lower Hutt Gas-lighting Board constituted under the Petone and Lower Hutt Gas-lighting Act 1922 (hereinafter called the Board), recently contracted to purchase from one Andrew Cumming, of Lower Hutt, settler, the land hereinafter described, for the purpose of providing a site for a building to contain certain machinery for the regulation of pressure in the Board’s mains, and other like purposes: And whereas doubts have arisen as to whether the Board is empowered by the said Act to purchase or hold the said land, and it is expedient that the transaction should be validated and provision made for the disposal of such part of the said land as is not required for the purposes aforesaid: Be it therefore enacted as follows:—

- (1) The purchase by the Board of the land hereinafter described is hereby validated.
- (2) The Board may hold for the purposes aforesaid such part of the said land as is required therefor, and may sell the balance at such price and on such terms as it thinks fit, and may pay all moneys to be so received into its General Account and use the same for any purpose upon which moneys in such account may ordinarily be lawfully expended.
- (3) The land to which this section relates is particularly described as follows:—

All that piece of land, situate in the Borough of Lower Hutt, containing twenty-one and sixty-four hundredths perches, be the same a little more or less, being part of Section 38, Hutt District, comprising Lot 6 on deposited plan number 8737, and being the whole of the land comprised and described in certificate of title, Volume 387, folio 121, Wellington Registry.

77 Authorizing Petone and Lower Hutt Gas-lighting Board to raise a loan of \$43,800, and validating proceedings in connection therewith

Whereas the Petone and Lower Hutt Gas-lighting Board incorporated under the Petone and Lower Hutt Gas-lighting Act 1922 (hereinafter called the Board), has, in exercise of the powers conferred upon it by section eight of the Petone and Lower Hutt Gas-lighting Amendment Act 1927, taken proceedings to raise a loan of forty-three thousand eight hundred dollars for the purpose mentioned in the said section: And whereas doubts have arisen as to whether the said sum of forty-three thousand eight hundred dollars can be lawfully borrowed by the Board for such purpose: And whereas it is expedient to declare that the Board may lawfully so borrow the same: Be it therefore enacted as follows:—

- (1) The Board may lawfully borrow the said sum of forty-three thousand eight hundred dollars for the purpose aforesaid.
- (2) All proceedings heretofore taken by the Board in connection with its proposed borrowing of the said sum, and any hypothecation of debentures heretofore made in connection with the said loan, are hereby validated and declared to have been lawfully taken and made; nor shall the validity or sufficiency of the proceedings, or the validity of the security for the loan, be questioned upon any ground whatsoever.

The words “forty-three thousand eight hundred dollars” were substituted, as from 10 July 1967, for the words “twenty-one thousand nine hundred dollars” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

78 As to registration of Marlborough Acclimatization Society

The registration of the Marlborough Acclimatization Society (hereinafter referred to as the said society) pursuant to section twenty-two of the Animals Protection and Game Act 1921-22 (hereinafter referred to as the said Act), and regulations thereunder, shall be deemed to have taken effect on the first day of April, nineteen hundred and twenty-seven, and accordingly, notwithstanding the provisions of subclause three of clause four of the regulations under the said Act, gazetted on the seventh day of February, nineteen hundred and twenty-four, the

balance of all fees paid for licenses issued by a postal officer under the said Act, or of all fines recovered under the said Act, on and after the said first day of April, in respect of the Marlborough Acclimatization District, shall be paid to the said society.

79 Making provision with respect to sale of certain piece of land and disposal of proceeds by Egmont Agricultural and Pastoral Association

Notwithstanding anything contained in section seven of the Agricultural and Pastoral Societies Act 1908, and section three of the Agricultural and Pastoral Societies Amendment Act 1912, the Egmont Agricultural and Pastoral Association (a society duly incorporated under the first-mentioned Act and hereinafter referred to as the said society) is hereby empowered and authorized on the resolution of two-thirds of the members present at any general meeting of the said society to sell out of Allotments 1, 6, 7, and 9 of Section 153, Patea Survey District, an area of not more than seven acres two roods, being part of the lands vested in the said society, and to apply the proceeds of such sale for the purpose of the discharge or partial discharge of the mortgage at present charged against the said lands of the said society.