

Hon. Mr. Fisher.

AUCKLAND GIRLS' HIGH SCHOOL.

ANALYSIS.

Title.	
Preamble.	mium on lease of reserve. (2.) May pledge rents of reserve and timber, or mortgage school site as security.
1. Short Title.	
2. Trustees may borrow £5,000 for construction of brick school buildings. (1.) May take pre-	3. When mortgage due may reborrow money in payment.

A BILL INTITULED

AN ACT to vary the Powers of the Trustees of the Auckland Girls' High School Endowment for borrowing Moneys for the Purposes of such School.

5 WHEREAS a reserve of four thousand ~~eight hundred and ninety~~ *eight seven hundred and seventy* acres of land in the Maungaru Survey District, Auckland, has been set apart as an endowment for the Auckland Girls' High School, and, the said school being subject to
10 "The High Schools Reserves Act, 1880" (hereinafter referred to as "the said Act"), the powers of leasing contained in section six of the said Act are not suitable for the leasing of the aforesaid reserve, the principal value whereof consists of the timber on the land comprised therein: And whereas it is expedient to vary the powers of the Trustees of the said reserve for the leasing thereof: And whereas
15 the said reserve is vested in the Education Board of the District of Auckland which has the control of the aforesaid school under the authority of "The Auckland Girls' High School Act, 1878:"

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

1. The Short Title of the Act is "The Auckland Girls' High School Act, 1888." Short Title.

2. The Education Board of the District of Auckland (hereinafter referred to as "the Board"), in whom the above-mentioned reserve is
25 vested, as Trustees thereof, in addition to their powers under the said Act, for the purpose of providing a sum of money not exceeding five thousand pounds, to be expended in the construction of brick buildings at Auckland for the Girls' High School, on the site reserved for such purpose,— Trustees may borrow £5,000 for construction of brick school buildings.

Auckland Girls' High School.

May take premium
on lease of reserve.

(1.) May lease by public auction the said reserve under section six of the said Act, and may take any premium, fine, or foregift on any such lease, anything in the said section to the contrary notwithstanding; but the amount received in respect of any such premium, fine, or foregift shall be applied towards permanent buildings, or towards reduction of any mortgage, or shall be invested by the Board for the benefit of the school; 5

May pledge rents of
reserve and timber,
or mortgage school
site as security.

(2.) May borrow, from time to time, at interest not exceeding seven per centum per annum, such sums of money as they shall think requisite, not exceeding the sum herein above mentioned; and may grant to the person or persons lending the same a pledge upon the rents and profits of all or any part of the land reserved in the Maungaru Survey District as above mentioned, and on the proceeds of the timber thereon; and also may grant to the said person or persons one or more mortgages, with a power of sale, upon all or any part of the site reserved in Auckland where the high school is to be erected, with the buildings thereon, in such form and subject to such conditions, and with such powers and provisions, as the said Board may think fit. 10 15 20

When mortgage due
may reborrow money
in payment.

3. If at any time appointed by any mortgage for the payment of the principal money secured thereby the Board aforesaid are unable to pay off the same, and if they shall think fit, they may borrow such sum of money as may be necessary for the purpose of paying off the whole or any part of such principal money, and may secure the repayment of the same and interest to be paid thereon, in manner hereinbefore authorised in regard to the original moneys borrowed under this Act. 25

REPORT OF THE LOCAL BILLS COMMITTEE

ON

THE AUCKLAND GIRLS' HIGH SCHOOL BILL.

THE Local Bills Committee to whom was referred the Auckland Girls' High School Bill, for the purpose of inquiring into the circumstances under which the Maungaru Reserve was Crown-granted to the Auckland Girls' High School, have the honour to report as follows:—

That the Bill is a local Bill, and the Standing Orders have been complied with, and that it be allowed to proceed, subject to the amendment in the acreage which appears upon a copy of the Bill attached hereto.

That, from the evidence taken, and the correspondence and memoranda produced before the Committee, it appears that, by section 5 of "The Auckland Girls' High School Act, 1878," the Governor may grant, out of any reserves set apart for education in the Education District of Auckland, any land not exceeding in value £5,000 to the Board, free from all charges and incumbrances, as an endowment to the said school, such value to be ascertained by the Land Board of the Auckland Land District."

It appears that in January, 1879, the Auckland Board of Education, by its Secretary, applied to the Secretary of Education, Wellington, requesting "that the Government will take the necessary steps to grant the Board land of the value of £5,000 as an endowment towards the support" of the girls' high school. On the 3rd February, 1879, the Secretary of Education, Wellington, replied that the matter of the reservation of an endowment for the girls' high school had been brought under the notice of the Land Board in accordance with the terms of the Act.

The Auckland Board of Education continued to press for an endowment, but nothing further appears to have been done until the 28th January, 1886, when the Education Board, acting upon the suggestion of the Secretary of Education and the Under-Secretary for Crown Lands, and with the advice of the Assistant Surveyor-General, Auckland, applied through the Minister of Education for the reservation of the land known as "surplus" in Walton's claim, in the Maungaru Survey District, containing 4,770 acres, and having on it kauri timber, from which an immediate revenue could be obtained. The then Minister of Education (Sir Robert Stout) referred the matter to the then Minister of Lands (Hon. Mr. Ballance), who replied that it was intended to reserve this land for forest purposes. On the representation of the Minister of Education that the land was urgently required as an endowment for the Auckland Girls' High School, and no other piece of land being immediately available for revenue purposes, Mr. Ballance acquiesced, on the 11th May, 1886.

The land being at that time unappropriated Crown land, it was necessary first to make it an education reserve.

The land was accordingly first temporarily reserved in *Gazette* No. 35, of the 24th June, 1886, page 758, for primary education. It will thus be seen that the land was not "set apart for education" at the time of the passing of the Act in 1878.

The temporary reservation of the land was notified to Parliament on the 29th June, 1886 (E.-11A, Appendix, 1886), for primary education.

The land was afterwards permanently reserved in *Gazette* No. 47, 9th September, 1886, page 1092, for primary education, and by Proclamation in the same *Gazette*, page 1089, it was also reserved as an endowment for primary education.

The schedule for certificate of title was prepared by the Commissioner of Crown Lands, Auckland, under instructions from the Under-Secretary for Crown Lands, dated the 16th September, 1886, under the Ministerial authority of the minutes of the 11th May, 1886.

His Excellency signed the schedule on the 25th October, 1886. [A. 219, Vol. II.]

On the 28th October, 1886, the Education Board of Auckland was informed that the Board could take possession of the land, and the title would be issued on application to the District Land Registrar.

On the 10th November, 1886, a certificate of title, under the Land Transfer Act, was issued by the Auckland District Land Registrar, granting the land to the Auckland Education Board as an endowment for the Auckland Girls' High School.

The certificate of title is in the Board's possession.

From the facts before your Committee they think that the circumstances connected with the endowment require the careful consideration of the House.

3rd July, 1888.

W. B. PERCEVAL,
Acting Chairman.