

## LOCAL LEGISLATION BILL, 1942.

### EXPLANATORY NOTES.

#### *County Councils.*

*Clause 2:* Validating proceedings in connection with a loan of £700 raised by the Buller County Council (I.A. 105/238).—By Order in Council dated 18th November, 1936, the Buller County Council was authorized to raise a loan of £750 for the purpose of erecting a doctor's residence at Karamea. One of the provisions of the Order in Council was that the Council should make provision for the repayment of the loan by establishing a sinking fund.

The Council raised the loan from the State Advances Corporation of New Zealand on the basis that the loan would be repaid by equal half-yearly instalments of principal and interest.

Legislation is necessary, therefore, to validate the action of the Council in raising the loan on terms contrary to the provisions of the Order in Council authorizing the loan.

The clause validates the action of the Council accordingly.

*Clause 3:* Authorizing diversion of certain loan-moneys by the Hutt County Council (I.A. 105/247).—As on and from the 1st April, 1941, a large area of the Hutt County was included in the City of Lower Hutt. By reason of this alteration it became necessary for an adjustment of assets and liabilities to be made between the two local authorities concerned. In terms of the mutual agreement arranged between the two bodies the Hutt County Council is required to pay to the Lower Hutt City Council the sum of £3,900. Normally, the County Council would meet this liability by raising a special loan, but the Council desires to avoid the raising of further loan-moneys.

The Council proposes to avoid further borrowing by the temporary diversion of certain other loan-moneys at present in the hands of the Council and which will not be required for the purposes for which they were raised until after the war. These loans were raised by the Council in relation to the installation of a water-supply and sewerage system at Point Howard and Lowry Bay and for the purpose of making advances to owners for water and drainage connections. Owing to the war and the restrictions imposed on the use of labour and material, the Council is unable to complete this work, and part of the moneys so borrowed, amounting to approximately £6,500, is lying idle in the hands of the Council. It is proposed to utilize this money by a temporary diversion in liquidating the debt of £3,900 to the Hutt City Council. Provision is made for the Council to repay the amount so diverted by annual payments of not less than £800 until such time as repayment is complete or until the Council is authorized to raise a loan for the purpose of meeting the liability to the Lower Hutt City Council.

In the present circumstances it is considered that the proposals are reasonable, and the clause makes provision accordingly.

*Clause 4:* Provision with respect to scheme of afforestation in the County of Masterton (I.A. 105/229).—In terms of the will of the late Dr. M. Trimble, former solicitor of the Masterton County Council, the income from the residue of his estate, estimated at £20,000, is to be applied for the purposes of afforestation in the area of the present County of Masterton.

The will is subject to certain life interests, and the Council anticipates that the residue of the estate will become available for public afforestation a few years hence.

After consultation with the trustees under the will, the Council undertook to prepare a plan of afforestation development, as it was realized that the project must be established on sound lines, for the administration of the endowment will become a means not only of producing revenue, but of opening a way to a greater extension of planting for water-protection, shelter, and other public purposes. In view of the probability that in later years suitable land at a reasonable price would be difficult to obtain in the county for forestry purposes, the Council decided, after consulting the

Government on the matter, to proceed with the foundation of the scheme by purchasing suitable land and carrying out planting thereon. The cost of this initial development is to be made by way of temporary advance from the County Fund, which will be reimbursed when income becomes available to the Council in terms of the before-mentioned will. In pursuance of this policy the Council has already purchased an area of 316 acres at a cost of £474, and will continue to purchase further land for the purpose as opportunity offers.

It has been held that there is no legal authority for the Council to expend its general funds in the purchase of land for afforestation purposes, and the first object of the clause is to validate expenditure which may be incurred by the Council in anticipation of the receipt of income from the bequest above referred to. The second purpose of the clause is to give the New Zealand Insurance Co., Ltd., power to approve of schemes of afforestation proposed by the Council, and to agree to refund to the Council the whole of the moneys so expended out of the first available moneys to fall into its hands from the estate.

In terms of the will the present trustees are directed, after the death of the last of the annuitants, to transfer the corpus of the residuary estate to the New Zealand Insurance Company in trust to invest the same for the purposes of public afforestation.

#### *City and Borough Councils.*

*Clause 5:* Provision with respect to closing of street by Thames Borough Council (I.A. 103/32/9).—The Thames Borough Council proposes to close an unformed portion of Mackay Street, in the Borough of Thames.

The formed part of this street adjoining the area proposed to be closed is already 66 ft. in width, and therefore complies with the general law relating to the width of streets in boroughs. At the present time there is a brick building encroaching to a certain extent on the street area proposed to be closed, and ultimately it is proposed to dispose of the closed area to the owners of this building.

Normally, the powers as to the closing of streets contained in the Municipal Corporations Act, 1933, could be invoked, but there is a prohibition in that Act as to the closing of streets along the bank of a river. Mackay Street runs along the bank of the Hape Stream, which is deemed to be a river within the meaning of the above-mentioned prohibition.

The purpose of the legislation is to remove the prohibition in the present case as to the closing of a street along the bank of the river so that the ordinary procedure laid down in the Municipal Corporations Act, 1933, as to the closing of streets may be put into operation. This procedure will give an opportunity to the residents of the borough to object to the proposal if they desire to do so.

*Clause 6:* Authorizing remission of rates by Gisborne Borough Council (I.A. 100/11).—The purpose of this clause is to authorize the Gisborne Borough Council to remit rates due and payable by the Y.M.C.A., Gisborne, in respect of the year ended 31st March, 1942. The amount involved is £46 7s. 5d.

*Clause 7:* Authorizing Takapuna Borough Council to borrow moneys for water-supply purposes (I.A. 105/226).—This legislation has become necessary by reason of the passing of the North Shore Boroughs (Auckland) Water-supply Act, 1941. In terms of that Act the Board of Health duly issued requisitions upon the Auckland City Council and the Takapuna Borough Council requiring them to enter into a contract under which the Auckland City Council would in future supply water to Takapuna. The City Council duly completed all the arrangements necessary to deliver water to Takapuna at a point arranged between the two local authorities, and it became necessary for the Takapuna Borough Council to undertake certain additional water-supply works in the borough vitally necessary for the purpose of getting the full benefit of the new supply from Auckland. These works involve the construction of a new reservoir, a 9 in. supply main, the acquisition of an 8 in. main belonging to the Devonport Borough Council, the cleaning and lining of existing reticulation pipes, and the laying of new reticulation pipes at a total estimated cost of £23,300.

It became necessary for the Takapuna Borough Council to proceed with certain portions of this work in December, 1941, and, with the approval of the Government the Council proceeded with the work on the understanding that approval would be given to financing the cost thereof by way of overdraft from the bank in excess of the legal limit of overdraft.

The purpose of the clause is therefore to authorize the Council to incur an excess overdraft not exceeding £23,300 in order to meet the cost of the work involved and to raise a special loan subsequently to repay the bank overdraft without taking a poll of ratepayers.

The clause also validates expenditure already incurred by the Council and provides that pending the raising of the above-mentioned loan the Council shall reduce the excess overdraft by a sum of £950 per annum.

*Clause 8 :* Authorizing withdrawal of moneys from Depreciation Fund of electricity undertaking of Taihape Borough Council (I.A. 105/242).—The Taihape Borough Council raised a loan of £21,250, known as the " Taihape Water Supply and Electric Light Loan ", which matures on 1st February, 1943. The sum of £7,500 of this loan was raised in respect of the electricity undertaking of the Council, but the accrued Sinking Fund in respect of this portion of the loan will prove insufficient to extinguish the liability by a sum of £2,450.

In order to avoid further borrowing, the Council desires to meet this deficiency by withdrawing a sum of £2,450 from the Depreciation Fund of the electricity undertaking. That fund now stands at approximately £5,000, and in view of the strong position of the fund the Council considers it is reasonable for the fund to be utilized for the purpose of meeting a liability of the electricity undertaking. The clause confers the necessary authority on the Council and the Depreciation Fund Commissioners.

*Clause 9 :* Validating expenditure by Lower Hutt City Council in respect of refuse contract (I.A. 105/236).—In March, 1939, the Lower Hutt City Council entered into a three years' contract for the collection and removal of refuse in the city. The terms of the contract provided for a payment of £1,450 per annum, based on the number of houses in the area at the commencement of the contract, plus an amount of £21 5s. per annum for each additional one hundred houses erected during the term of the agreement.

In January, 1940, the contractor requested an increase in the contract price to cover additional operational costs due to war conditions.

A good deal of negotiation has taken place between the Council and the contractor, during the course of which he threatened to abandon the contract, which would have meant that the cost would be substantially increased if the Council undertook the work by day labour or if fresh tenders were called for. In view of the special circumstances, and as any other course would have meant an additional burden on the ratepayers, the Council agreed to meet the contractor to the extent of an additional payment of £56 6s. 8d. up to the expiry date of the contract.

The Council had no legal authority to pay this additional amount over and above the contract price, and the clause validates its action in this respect.

*Clause 10 :* Validating a payment by the Crown to the Temuka Borough Council (I.A. 105/220).—The areas of land referred to in the clause were vested in the Corporation of the Borough of Temuka as endowments in aid of the Town Board funds and for the purposes of a gravel reserve.

All of the reserves were set apart in 1940 for the purposes of the Housing Act, 1919, but prior to this the vesting of the reserves in the Corporation had been cancelled by Orders in Council. The Crown agreed to pay the Temuka Borough Council the sum of £1,280 as the purchase-price of the areas concerned, but, as the vesting of the land in the Corporation had been cancelled prior to the payment of this sum, there was no authority for the Crown to make the payment.

The Clause validates the payment accordingly, and provides that the amount shall be used by the Council towards the establishment of a Town Hall and Municipal Offices in the Borough.

*Clause 11 :* Validating a payment by the Crown to the Patea Borough Council (I.A. 105/42).—The land referred to in the clause was vested in the Corporation of the Borough of Patea for town-improvement purposes. The land was purchased by the Crown for the purposes of the Housing Act, 1919, for the sum of £38, and consequently the vesting of the land in the Corporation was cancelled by Order in Council.

As this Order in Council was issued prior to the payment of the £38 involved in the purchase-price, there was no authority for the Crown to make this payment to the Patea Borough Council, and the clause validates the payment accordingly.

*Clause 12:* Authorizing Greymouth Borough Council to borrow moneys for extension of Greymouth Cemetery (I.A. 105/251).—The purpose of this clause is to authorize the Greymouth Borough Council to raise a special loan of £2,300, without taking a poll of ratepayers, for the purpose of acquiring further land in the Grey County as an extension of the present Greymouth Cemetery. Burial space in the Greymouth Cemetery has become restricted, and there are now very few plots available.

The provision of this additional land, together with other land which the Council purchased some years ago, will meet the position for many years to come.

*Clause 13:* Validating grants made by Hastings Borough Council towards earthquake relief (I.A. 105/258).—The Hastings Borough Council has made a grant of £50 to each of the cities of Wellington and Palmerston North and the Borough of Masterton to be spent at the discretion of the Mayor in each case towards alleviating acute distress caused by earthquake damage.

There is no authority at law for the Council to make these grants, and the purpose of the clause is to validate the expenditure accordingly.

*Clause 14:* Authorizing Pahiataua Borough Council to raise a special loan for water-supply purposes (I.A. 105/254).—Negotiations took place some time ago between the Government and the Pahiataua Borough Council concerning the supply of water to the Pahiataua Racecourse for Government purposes.

It was estimated that the total cost of extending the existing borough system in order to supply this area would be £8,000, and of this amount it was agreed that the Government would find £4,000 and the Borough Council also £4,000. The Council will require to find its proportion of the cost out of loan-moneys, and in view of the purposes for which the loan is to be raised it is desired that the Council should be authorized to raise the amount required by special order and without taking a poll of the ratepayers.

The clause provides accordingly, and also authorizes the Council to repay to its General Account moneys which have been expended from that account in commencing the work prior to the raising of the loan.

*Clause 15:* Moneys raised under the Wellington City Works Loan, 1941, may be expended for damage arising from earthquakes in the year 1942 (I.A. 105/35).—In 1941 the Wellington City Council was authorized to raise a loan of £84,000 under the Local Bodies' Finance Act, 1921-22, for the purpose of carrying out works occasioned by storm damage in that year. A large part of these moneys remains unexpended. This year the Council is faced with a considerable expenditure in restoring damage occasioned by the recent earthquakes, and in order to avoid further borrowing it is desired to divert moneys raised for the purpose of storm damage towards the purpose of restoring earthquake damage.

The clause provides accordingly, and provision is made therein enabling the Council to make advances and to expend moneys for the purpose of assisting owners to remedy conditions caused by earthquake.

The legislation also retains the right of the Council to raise a loan to reimburse the Storm Damage Loan Account in respect of moneys expended on the restoration of earthquake damage should such reimbursement become necessary.

*Clause 16:* Wellington City Council authorized to permit encroachment on The Terrace, Wellington (I.A. 105/265).—A block of modern flats has recently been erected on land fronting Wellington Terrace, in the City of Wellington.

By an error in calculating distances it appears that the front of the building, which was intended to be aligned on the street boundary, encroaches on the street at the southern end to the extent of approximately 4 in., dwindling to nothing at all some 20 ft. before it reaches the northern end of the street boundary. There is no authority for the Council to permit a continuation of the encroachment, but in the circumstances the Council is willing, provided the necessary legislative authority is granted, to grant a license to the owner to occupy the area encroached upon during the life of the present building.

The clause contains the necessary authority accordingly.

*Clause 17:* Authorizing Patea Borough Council to sell certain land (I.A. 105/42).—The purpose of this clause is to authorize the Patea Borough Council to sell a certain area of endowment land to the Patea Fire Board for the purpose of extending the fire-brigade station and to accommodate additional plant and resident firemen. It is proposed to sell another part of the same area to the South Taranaki Electric-power Board as a site for the erection of a dwelling and garage.

There is no authority for the Council to dispose of the area concerned by way of sale, but in view of the public purposes for which the sale is to be made the proposal is considered to be reasonable and desirable.

The clause confers the necessary authority on the Council accordingly.

*Clause 18:* Authorizing Napier Borough Council to sell part of a municipal endowment (I.A. 105/256).—The object of this clause is to authorize the Napier Borough Council to sell, by way of auction or private contract, an area of approximately 1 acre vested in the Corporation of the Borough of Napier as an endowment for the use, benefit, and improvement of the borough.

The land in question was formerly part of the borough stables and pound. With the advent of motor transport the Council no longer requires the stables, and has established a new pound on the outskirts of the borough. There is no beneficial purpose to which the Council can now put this land, and it is accordingly desired to dispose of it.

The Council is acquiring from the Napier Harbour Board an area of approximately 9 acres at Port Ahuriri as a pleasure-ground, and it is proposed to utilize the proceeds from the sale of the area referred to in the clause towards the compensation-moneys which will become payable to the Harbour Board or towards the acquisition of a cemetery-site which will become necessary in the near future.

*Clause 19:* Further provision with respect to agreement made between the Westport Borough Council and the Westport Coal Co., Ltd., for the supply of electricity (I.A. 105/155).—The Westport Borough Council entered into an agreement with the Westport Coal Co., Ltd., in 1940, for the supply of electricity to the borough and the erection of a power-transmission line from Denniston to Westport.

In terms of the agreement the Westport Borough Council was to meet the cost of the erection of the transmission-line, and at the time it was estimated that the cost would be £9,000.

Section 21 of the Local Legislation Act, 1940, validated the agreement between the Council and the Corporation and authorized the Council to raise a loan not exceeding £9,000 without taking a poll of ratepayers for the purpose of meeting the cost of the transmission-line. Owing to war conditions and other circumstances beyond the control of the parties to the agreement the original estimate of cost has been exceeded, and it is now anticipated that the total cost will amount to £11,150.

In the circumstances it is considered that the additional borrowing authority required by the Council should be granted, and the clause contains the necessary authority accordingly.

#### *Town Board.*

*Clause 20:* Validating agreement between Otorohanga Town Board and Levin Amusements, Ltd. (I.A. 105/144).—The Otorohanga Town Board has been operating a theatre at Otorohanga for many years, and up till a few years ago the Town Board had no competition in this respect. Some years ago, however, an additional license was issued in respect of another theatre in Otorohanga, and this license was transferred to the firm of Levin Amusements, Ltd. The competition caused by this firm resulted in a loss being incurred by the Town Board in regard to its theatre, and it was suggested by the Chief Inspector under the Cinematograph Films Act that the Board and Levin Amusements, Ltd., should enter into an agreement with respect to the running of the two theatres concerned. The agreement provided for a pooling arrangement whereby the receipts and expenditure in respect of the two theatres were shown in a joint account and the profits distributed between the Board and the company on an agreed basis. This arrangement has been in operation for over one year and has worked out very well from the point of view of the Town Board.

It is considered that under the existing situation a continuation of the agreement is in the best interests of the ratepayers financially and in the interests of the town from the amusement point of view.

The purpose of the clause, therefore, is to validate the agreement between the Town Board and the company for which there is no authority at law.

#### *Harbour Boards.*

*Clause 21:* Authorizing payment of compassionate allowance by Auckland Harbour Board (I.A. 105/246).—The purpose of this clause is to authorize the Auckland Harbour Board to make a compassionate allowance of £325 to the widow of Mr. G. A. Tyler, late dockmaster at Auckland, in recognition of his services to the Board over a period of thirty years.

*Clause 22*: Validating expenditure incurred by Auckland Harbour Board (I.A. 105/245).—The purpose of this clause is to validate an expenditure of £60 4s. 3d. by the Auckland Harbour Board, being a proportion of the expenditure involved in holding an opening ceremony in connection with the Westhaven Social Hall conducted by the Board in Auckland.

*Clause 23*: Validating certain payments made by Wellington Harbour Board in respect of overseas contracts (I.A. 105/235).—In 1939 the Wellington Harbour Board entered into contracts with two English firms for the construction and delivery of sixteen electric cranes. The contracts were not completed at the outbreak of war and the contractors became involved in extra costs due to war conditions. The additional costs thrown on the contractors were occasioned by compulsory war-commodities insurance, increases in freight, cost of materials, and wages.

In terms of the contracts the two English firms could have been required to stand the whole of the additional costs involved, which would have meant a substantial loss to them on the contracts. Negotiations between the Board and the contractors resulted in the Board agreeing to pay a proportion of the increased costs, amounting in one case to £2,167 8s. and in the other case to £262 17s. 6d. Even these payments will result in the contractors making a loss on the contracts.

The legal position was that the Harbour Board was under no legal obligation to pay the contractors any sums in excess of the contract price agreed upon and could have insisted on the contractors bearing the liability for the additional costs involved. The Board, however, decided that it was an equitable arrangement in the special circumstances for the Board to meet part of the additional costs to the extent above mentioned, and payment has now been made to the two firms in question.

The purpose of the clause is to validate the action of the Board in making the payments involved.

*Clause 24*: Authorizing Napier Harbour Board to borrow moneys by way of overdraft (I.A. 105/20).—It is well known that the Napier Harbour Board has been engaged continuously for the past eight years in rebuilding and improving the Port of Napier. The Board has obtained several loan authorities by way of special Acts over the past few years owing to the increasing cost of the work which has been caused by factors such as increased wages, increased costs of material, and so on. In 1939 the work was estimated to cost £630,992, and the next estimate made in March, 1941, put the figure at £675,461. The present estimate of total costs as at 28th February, 1942, is £680,599. The Board has received a subsidy on the work amounting approximately to £100,000. The loan authorities held by the Board for this work total £530,922, and there is consequently a shortage of finance to complete the works amounting to approximately £50,000.

The Board is not desirous of meeting this additional cost by further borrowing, as it does not desire to increase its capital indebtedness. It is proposed, therefore, and this course has been approved by the Government, that the Board should be authorized to provide the additional £50,000 required by way of overdraft. The legal overdraft limit of the Board is approximately £25,000, and it is proposed that this limit should be increased to £50,000 to provide the capital needs of the Board. To meet this overdraft the Board is required to repay the loan over a period of ten years, but owing to the uncertain revenue position of the Board due to war conditions it is desired that no repayment be provided for the first three years. Over the remaining seven years of the term the amount borrowed will be repaid by increasing annual payments in accordance with a scale to be fixed by the Local Government Loans Board.

The clause provides the necessary legislation for the purpose of giving effect to the above proposals.

#### *Electric-power Boards.*

*Clause 25*: Validating raising of loan-moneys by the Thames Valley Electric-power Board (I.A. 105/228).—By Order in Council dated 27th July, 1938, the Thames Valley Electric-power Board was authorized to raise a loan of £90,000 for the extension of reticulation. In terms of this Order in Council no portion of the loan could be raised after the expiration of a period of two years from the issue of the Order in Council.

The provisions of the Order in Council were subsequently varied by two further Orders in Council, but these did not affect the period of two years within which the loan-moneys should have been raised.

The Board, however, raised a sum of £12,000 after the expiration of the period specified in the original Order in Council, and debentures have been issued in respect of this portion of the loan.

It becomes necessary to validate the action of the Board in this respect, and the clause provides accordingly.

*Clause 26:* Authorizing South Canterbury Electric-power Board to borrow for erection of concrete-pole factory (I.A. 105/241).—In 1941 the South Canterbury Electric-power Board was authorized to raise a loan of £18,000 for certain purposes connected with the Board's undertaking. Owing to the difficulty of obtaining suitable poles for the extension of the reticulation system the Board decided to erect a factory for the manufacture of concrete poles and other concrete products connected with electrical reticulation. The Board commenced this work and expended certain moneys out of the loan of £18,000 before mentioned. This expenditure out of the loan is unlawful, and the first purpose of the clause is to validate the expenditure.

The total cost of constructing and equipping the concrete-pole factory is estimated at approximately £4,500, and it is proposed by the clause to give authority to the Board to borrow this sum by way of special loan and without taking a poll of ratepayers.

*Clause 27:* Special provision with respect to supply of electricity by Grey Electric-power Board (I.A. 105/250).—The Grey Electric-power Board was authorized on 11th February, 1942, to borrow a sum of £10,000 for extensions to its reticulation system. The proposed extension was, *inter alia*, for electrifying the colliery of Burke's Creek Co., Ltd., and also the supplying of electricity to a dredge being constructed by the Waipuna Gold-dredging Co., Ltd.

At the time the application for the loan was made it was not intended to put in hand the reticulation extension work to the Burke's Colliery as this was not an urgent matter. Whilst the matter was under consideration, however, a fire occurred at the Burke's Creek Colliery which destroyed all surface equipment, including the steam-plant by which the mine was operated. The production of coal was necessarily stopped on this account, and because of the urgent necessity of maintaining coal-production the Board agreed to proceed with the work without awaiting the necessary authority to borrow for the purpose. The Board accordingly proceeded with the extension of the reticulation to the Waipuna Dredge and to Burke's Creek Colliery, as these two jobs could be more economically carried out together.

The Board expended a sum of £7,000 in carrying out the work, and as the special loan had not then been sanctioned the cost was met from the Power Fund Account of the Board. Portion of this expenditure was incurred in an area outside the district of the Board, and accordingly there was no statutory authority for the expenditure in this area. This area comprises, *inter alia*, the Reefton Electric-power District, the Board of which has not functioned since its constitution in 1921.

It becomes necessary, therefore, to provide special legislation to meet the position, and the purpose of the clause is to validate the action taken by the Board and to authorize the raising of a loan of £7,000 without taking a poll of the ratepayers for the purpose of refunding the amount expended on the above-mentioned work from the Power Fund Account. The Reefton Electric-power District is abolished with the intention that this area should later be brought into the Grey Electric-power District.

#### *River and Drainage Board.*

*Clause 28:* Section 50 of the Local Legislation Act, 1936, extended (I.A. 105/114).—This clause is intended to extend for a further period of three years the authority conferred on the Mangapu Drainage Board by section 41 of the Local Legislation Act, 1939, to make and levy general rates on the various classes of land in the district on a slightly higher basis than is authorized by the Land Drainage Act, 1908. The rates have been made and levied on the higher basis for some years past, and a continuation thereof is necessary to enable the Board to meet its annual commitments with respect to necessary drainage work undertaken by the Board.

*Clause 29:* Prescribing system for collecting rates within Taradale Town District for Hawke's Bay Rivers Board purposes (I.A. 1936/198/7).—Section 10 of the Hawke's Bay Rivers Act, 1919, fixes the system of rating to be followed in the various parts of the Hawke's Bay Rivers District.

Wards Nos. 2, 3, and 4 of that district comprise a portion of the Hawke's Bay County and the intermediate Town District of Taradale. Section 10 provides that in that part of the district the rates for Rivers Board purposes shall be levied according to the system of rating for county purposes for the time being in force in the Hawke's Bay County. This means, *inter alia*, that the rates must be levied over Taradale Town District according to the county system no matter what system for the time being is in force in Taradale.

The Taradale Town Board, acting on behalf of its ratepayers, desires to have this position changed so that the rates shall be collected in Taradale on the system operating in Taradale for the time being. The actual total sum assessed against Taradale will be based on the county system, but the incidence of the rate as affecting individual ratepayers will be determined according to Taradale's own system.

This is the effect of the clause.

#### *Hospital Boards.*

*Clause 30:* Validating certain irregularities by the Southland Hospital Board in connection with a loan proposal of £20,000 (I.A. 105/243).—In 1941 it became necessary for the Southland Hospital Board to consider the carrying-out of urgent alterations and renovations to the Dee Street Hospital, Invercargill, and to equip same at a total cost of £28,000.

The Board found it necessary to finance this work by way of loan, but owing to the extreme urgency of commencing the work the Board carried out the initial stages of the work and incurred liabilities in so doing. This expenditure was incurred prior to the Board submitting an application for the raising of the required loan to the Local Government Loans Board. This action on the part of the Board precluded it from raising a loan to meet the cost of the work which had already been carried out, and accordingly the liabilities so incurred have been charged against the ordinary revenues of the Board. It is, however, beyond the capacity of those revenues to meet the total cost involved in carrying out the work, and the Board has made application for legislative authority to authorize the raising of a loan to meet the cost of works already carried out.

The clause authorizes the raising of a loan of £20,000 for this purpose.

*Clause 31:* Validating payment of compassionate allowance by Grey Hospital Board (I.A. 105/253).—The late Arthur Joseph Fraser was in 1930 appointed house-manager of the Grey Hospital at a salary of £350 per annum, increased as from 1st April, 1938, to £375, and he remained in the service of the Board until his death on 25th July, 1940.

By the terms of his appointment he was entitled in each year to three weeks' annual leave on full pay. During the whole of his period of employment he had but two weeks' holiday—viz., in December, 1931—his leave having with the knowledge of the Board been allowed to be accumulated. As the Board considered it would eventually have been arranged for him to take his accumulated leave or pay in lieu thereof, the Board made payments to his dependants equivalent to the period represented by accumulated holidays; the payments made totalling £203 17s. Of this, £170 12s. was paid on 16th August, 1940, to the Public Trustee, as representative of Fraser's dependants, the balance having been previously paid.

These payments have resulted in the statutory limit of unauthorized expenditure of the Board being exceeded to the extent of £130 12s. 11d., and the purpose of the clause is to validate the expenditure of this amount.

*Clause 32:* Authorizing Wellington Hospital Board to divert temporarily certain loan-moneys to other purposes (I.A. 105/64).—The Wellington Hospital Board has been authorized to raise a loan of £79,250 for the erection and equipment of a nurses' home at the Wellington Hospital. This loan was raised by the Board in 1937, but in the opinion of the Board it is considered that it will not be possible to erect the new nurses' home until after the war. The object of the clause, therefore, is to authorize the temporary diversion of the proceeds of the loan towards the cost of additional bed accommodation at the Wellington Hospital. Authority is retained in the legislation for the Board to raise a loan later on for this purpose, which loan would be used to reimburse the moneys diverted from the Nurses' Home Loan.



*Clause 33:* Authorizing Wellington Hospital Board to apply moneys received by way of compensation in respect of land taken under Public Works Act, 1928, in manner approved by Minister of Health (I.A. 105/64).—On the 16th December, 1937, certain land in the City of Wellington vested in the Wellington Hospital Board as endowment land was taken under the provisions of the Public Works Act, 1928, and the Board received compensation in respect of the taking of the land.

In terms of section 73 of the Hospitals and Charitable Institutions Act, 1926, the proceeds of a sale of endowment lands are to be utilized for the same or similar purposes as the original endowment. In this case the endowment was made in 1851 for the maintenance of the public hospital. The Board, however, is desirous of expending the proceeds and the accrued interest thereon for the purpose of acquiring land to be used as sites for additional hospital accommodation or in such manner as may be approved by the Minister of Health.

The purpose of the clause is to authorize the Board to expend the compensation-moneys in the manner indicated above.

*Clause 34:* Authorizing diversion of loan-moneys by Wellington Hospital Board (I.A. 105/64).—The Wellington Hospital Board was authorized by Order in Council dated 10th June, 1937, to raise a loan known as the "Centenary Block Loan" of £465,000 for the purpose of erecting a new hospital block and providing ancillary services at the Wellington Hospital.

By section 48 of the Local Legislation Act, 1939, and subsequent legislation, the Board was authorized to divert temporarily the Centenary Block Loan moneys for various purposes as set out in that legislation. This course was authorized at the time because of the fact that the Centenary Block buildings would not be commenced for some considerable time, and it was not desired to raise fresh loans for the other purposes mentioned above.

The position now is that the Centenary Block scheme has been abandoned and a new scheme has been approved by the Health Department, and the necessary loan authorities for the new scheme have been granted. In view, however, of the fact that the Centenary Block scheme has been abandoned, the Board desires authority to divert permanently the Centenary Block Loan moneys for the purposes set out in the special legislation referred to above, and for the further purpose of the provision, erection, and equipping of a mortuary at the Wellington Hospital.

The clause confers the necessary authority on the Board accordingly.

#### *Affecting Two or More Classes of Public Bodies.*

*Clause 35:* Provision with respect to Waitakere Extra-urban Planning Scheme in the County of Waitemata (I.A. 149/74).—The Waitakere Scenic Drive was completed and opened as a main highway in November, 1939, at a cost of approximately £140,000, of which £126,000 was provided by the Government and the balance by the local authorities in the Auckland Metropolitan Area. At the time, sufficient land was acquired for the construction of the road only, and at least half of the frontage, including some of the finest stands of native bush, is in private hands. Attempts to exploit this frontage for profit by subdividing it into small building-sites have been made, and if allowed to go unchecked this subdivision would have meant the inevitable spoilation of the native bush and other amenities in the area.

In order to regulate the use of land having a frontage to the Scenic Drive and to prevent the cutting-out of native bush, it was decided to prepare and put into operation an extra-urban planning scheme under the Town Planning Act, 1926, which scheme would be administered by the Waitemata County Council. A difficulty arose, however, in that the Waitemata County Council would become liable for claims for compensation for land acquisition and injurious affection by reason of the operation of the scheme, and after negotiation it was agreed between the County Council, the Auckland City Council, and the Main Highways Board that a pool should be created out of which legitimate claims for compensation would be paid. The Main Highways Board and the Auckland City Council, as the parties most interested in the Scenic Drive, have agreed to contribute the total amount of this pool in proportions to be agreed upon.

Legislation is necessary to authorize the parties to enter into an agreement as to the amount of the pool to be created for meeting compensation claims and the proportions in which the parties are to bear the liability for such claims.

It is necessary, also, that the Main Highways Board and the Auckland City Council should be authorized to incur such expenditure as may be necessary to meet their respective liability under the agreement to be entered into.

The clause makes provision accordingly along these lines.

*Clause 36* : Authorizing Buller County Council and Westport Borough Council to raise special loans for aerodrome purposes (I.A. 105/232).—It has been found necessary to enlarge the Carter's Beach Aerodrome, situated near Westport, and by arrangement with the Government the Westport Borough Council and the Buller County Council have agreed to meet the cost of purchasing the additional land necessary to enlarge the aerodrome. The cost of the additional land is £2,000, and each of the Councils has agreed to provide the sum of £1,000 towards the purchase-price.

It will be necessary for the local bodies to raise their proportion of the cost by way of loan, and the purpose of the clause is to authorize the raising of such loans without the necessity of the local bodies taking polls of ratepayers. It is considered that this cost is justified in view of the special nature of the work involved. The clause also validates any excess overdrafts which the local bodies may have incurred in proceeding with the work in anticipation of the raising of the necessary loan-moneys.

*Clause 37* : Exchange of land between the Wellington City Corporation and the Wellington Harbour Board, and vesting portion of a closed street in the lessees of adjoining land (I.A. 105/240).—Negotiations have been in progress for some time between the Wellington Harbour Board and the Wellington City Council for the exchange between those two bodies of two small areas of land situated at the Marine Parade, Worsler Bay. An area on the eastern side of the Marine Parade adjoining the foreshore is at present vested in the Wellington Harbour Board, and an area on the western side is part of the Marine Parade vested in the Wellington City Corporation as street. With the object of straightening the street, the City Council proposes to close the area on the western side as a street and vest it in the Wellington Harbour Board, and the Board will then in turn transfer the eastern area to the Council for street purposes.

This proposal leads to the difficulty that if the western area is closed as a street the adjoining owners will be deprived of their frontage to an existing street, and in order to avoid this position the Harbour Board would be required to put these leases up to public auction, but it is not desired to do this as other persons may buy in the areas, thus leaving the adjoining owners without a legal frontage.

The clause, therefore, has the threefold object of closing the western area as a street and vesting it in the Harbour Board, of providing that the existing titles of the adjoining owners shall be deemed to be extended to include the portion of the closed street immediately in front of their respective sections, and of vesting the piece of Harbour Board land in the Wellington City Corporation.

#### *Miscellaneous.*

*Clause 38* : Validating expenditure by Ohai Railway Board (I.A. 105/248).—The purpose of this clause is to validate an expenditure of £62 0s. 10d. incurred by the Ohai Railway Board as a proportion of the costs involved in celebrating the twenty-fifth Anniversary of the organization of the Ohai Railway Service.

*Clause 39* : Validating transfer of certain funds and assets as between the Hawke's Bay Rabbit Board and the Southern Hawke's Bay Rabbit Board (I.A. 105/234).—In 1939 the southern area of the Hawke's Bay Rabbit District was severed from that district and formed into a new rabbit district under the name of the Southern Hawke's Bay Rabbit District.

The Boards of the two districts subsequently agreed to a division of the funds of the Hawke's Bay Rabbit Board, and this agreement was carried into effect by the transfer to the Southern Hawke's Bay Rabbit Board of certain assets and funds belonging to the Hawke's Bay Rabbit Board.

It has been held that there is no authority at law for the transfer of assets and funds from one Board to another, and the purpose of the clause is to validate this transaction.

*Clause 40* : Abolishing Waotu and Te Aria Rabbit-proof Fencing Districts (I.A. 105/259).—The purpose of this clause is to abolish the Waotu and Te Aria Rabbit-proof Fencing Boards, as they have now ceased to operate.

LOCAL LEGISLATION

Title.	ANALYSIS	
1. Short Title.	15. Moneys raised under the Wellington City Works Loan, 1941, may be expended for damage arising from earthquakes in the year 1942.	
<i>County Councils.</i>		
2. Validating proceedings in connection with a loan of £700 raised by the Buller County Council.	16. Wellington City Council authorized to permit encroachment on The Terrace, Wellington.	
3. Authorizing diversion of certain loan moneys by the Hutt County Council.	17. Authorizing Patea Borough Council to sell certain land.	
4. Provision with respect to scheme of afforestation in the County of Masterton.	18. Authorizing Napier Borough Council to sell part of a municipal endowment.	
<i>City and Borough Councils.</i>		
5. Provision with respect to closing of street by Thames Borough Council.	19. Further provision with respect to agreement made between the Westport Borough Council and the Westport Coal Company, Limited, for the supply of electricity.	
6. Authorizing remission of rates by Gisborne Borough Council.	<i>Town Board.</i>	
7. Authorizing Takapuna Borough Council to borrow moneys for water-supply purposes.	20. Validating agreement between Otorohanga Town Board and Levin Amusements, Limited.	
8. Authorizing withdrawal of moneys from Depreciation Fund of electricity undertaking of Taihape Borough Council.	<i>Harbour Boards.</i>	
9. Validating expenditure by Lower Hutt City Council in respect of refuse contract.	21. Authorizing payment of compassionate allowance by Auckland Harbour Board.	
10. Validating a payment by the Crown to the Temuka Borough Council.	22. Validating expenditure incurred by Auckland Harbour Board.	
11. Validating a payment by the Crown to the Patea Borough Council.	23. Validating certain payments made by Wellington Harbour Board in respect of overseas contracts.	
12. Authorizing Greymouth Borough Council to borrow moneys for extension of Greymouth Cemetery.	24. Authorizing Napier Harbour Board to borrow moneys by way of overdraft.	
13. Validating grants made by Hastings Borough Council towards earthquake relief.	<i>Electric-power Boards.</i>	
14. Authorizing Pahiataua Borough Council to raise a special loan for water-supply purposes.	25. Validating raising of loan-moneys by the Thames Valley Electric-power Board.	
	26. Authorizing South Canterbury Electric-power Board to borrow for erection of concrete-pole factory.	

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| <p>27. Special provision with respect to supply of electricity by Grey Electric-power Board.</p> <p style="text-align: center;"><i>River and Drainage Boards.</i></p> <p>28. Section 50 of the Local Legislation Act, 1936, extended.</p> <p>29. Prescribing system for collecting rates within Taradale Town District for Hawke's Bay Rivers Board purposes.</p> <p style="text-align: center;"><i>Hospital Boards.</i></p> <p>30. Validating certain irregularities by the Southland Hospital Board in connection with a loan proposal of £20,000.</p> <p>31. Validating payment of compassionate allowance by Grey Hospital Board.</p> <p>32. Authorizing Wellington Hospital Board to divert temporarily certain loan-moneys to other purposes.</p> <p>33. Authorizing Wellington Hospital Board to apply moneys received by way of compensation in respect of land taken under Public Works Act, 1928, in manner approved by Minister of Health.</p> | <p>34. Authorizing diversion of loan-moneys by Wellington Hospital Board.</p> <p style="text-align: center;"><i>Affecting Two or more Classes of Public Bodies.</i></p> <p>35. Provision with respect to Waitakere Extra-urban Planning Scheme in the County of Waitemata.</p> <p>36. Authorizing Buller County Council and Westport Borough Council to raise special loans for aerodrome purposes.</p> <p>37. Exchange of land between the Wellington City Corporation and the Wellington Harbour Board, and vesting portion of a closed street in the lessees of adjoining land.</p> <p style="text-align: center;"><i>Miscellaneous.</i></p> <p>38. Validating expenditure by Ohai Railway Board.</p> <p>39. Validating transfer of certain funds and assets as between Hawke's Bay Rabbit Board and Southern Hawke's Bay Rabbit Board.</p> <p>40. Abolishing Waotu and Te Aria Rabbit-proof Fencing Districts.</p> |
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## A BILL INTITULED

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| Title.   | AN ACT to confer certain Powers on certain Public Bodies and to validate certain Transactions.   |                      |
|  | BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—   | 5                    |
| Short Title.   | 1. This Act may be cited as the Local Legislation Act, 1942.   |                      |
|  | <i>County Councils.</i>  |                      |
| Validating proceedings in connection with a loan of £700 raised by the Buller County Council.<br>See Reprint of Statutes, Vol. V, p. 415 | 2. Whereas the Buller County Council (hereinafter called the Council) was by Order in Council dated the eighteenth day of November, nineteen hundred and thirty-six, made pursuant to section eleven of the Local Government Loans Board Act, 1926, and published in the <i>Gazette</i> of the nineteenth day of November, nineteen hundred and thirty-six, authorized to raise a loan of seven hundred and fifty pounds, to be known as the Karamea Doctor's Residence Loan, 1936 (hereinafter referred to as the said loan), subject to certain terms and conditions: And whereas one of the terms and conditions aforesaid was that the Council should before raising the loan make provision for repayment by establishing a sinking fund: And whereas the Council, pursuant to the said Order in Council, has raised a loan of seven hundred pounds from the State Advances Corporation of New Zealand, but has not made specific provision for a | 10<br>15<br>20<br>25 |

sinking fund as required by the said Order in Council: And whereas the Council has issued a series of forty debentures numbered 1 to 40 inclusive each for the sum of twenty-four pounds nine shillings and sevenpence, 5 being the half-yearly sum required to provide for the repayment of the said sum of seven hundred pounds with interest thereon at the rate of three pounds ten shillings per centum per annum: And whereas the said loan of seven hundred pounds was accordingly unlawfully 10 borrowed, and it is desirable to validate the action of the Council in borrowing the same: Be it therefore enacted as follows:—

The action of the Council in borrowing the said sum of seven hundred pounds is hereby validated and the 15 said moneys shall be deemed to have been lawfully borrowed and the securities given in respect thereof to have been lawfully issued, and the said debentures shall have full force and effect according to their tenor.

3. Whereas the Hutt County Council (hereinafter 20 called the Council) has raised certain special loans, known respectively as the Advances to Owners Private Connections Loan, 1938 (relating to the Point Howard Private Sewerage Connections), the Point Howard Water and Sewerage Loan, 1938, and the York Bay Advances to 25 Owners Private Connections Loan, 1939 (hereinafter referred to as the said special loans): And whereas the sum of one thousand nine hundred and seventy pounds of the first-mentioned loan, the sum of one thousand one hundred and eighty-three pounds of the second-mentioned 30 loan, and the sum of one thousand pounds of the third-mentioned loan are not immediately required for the purposes for which the said special loans were authorized: And whereas, consequent upon the adjustment of boundaries between the County of Hutt and the City of Lower 35 Hutt and the taking of accounts between the Council and the Lower Hutt City Council, the Council has become indebted to the Lower Hutt City Council in the sum of three thousand nine hundred pounds: And whereas the Council is desirous of utilizing the said sum of one thousand 40 nine hundred and seventy pounds of the Advances to Owners Private Connections Loan, 1938, the sum of nine hundred and seventy pounds of the Point Howard Water and Sewerage Loan, 1938, and the sum of seven hundred and fifty pounds of the Lowry Bay Water and Sewerage 45 Loan, 1939, for the purpose of paying in part its indebtedness of three thousand nine hundred pounds to the Lower Hutt City Council: And whereas it is intended that all moneys so utilized shall be repaid by the Council out of its General Revenue Account or out of other moneys now 50 or hereafter authorized to be borrowed for the purposes

Authorizing  
diversion of  
certain  
loan-moneys by  
the Hutt  
County Council.

of paying such indebtedness of three thousand nine hundred pounds: Be it therefore enacted as follows:—

(1) The Council may, without derogating from the purposes for which the said special loans were raised, divert and utilize the said sums of one thousand nine hundred and seventy pounds, nine hundred and seventy pounds, and seven hundred and fifty pounds for the purpose of paying in part the said sum of three thousand nine hundred pounds now owing by the Council to the Lower Hutt City Council as aforesaid. 5 10

(2) The Council is hereby authorized and required to repay the moneys so diverted by annual payments from its General Account of not less than eight hundred pounds in each of the years ending on the thirty-first day of March, nineteen hundred and forty-three, nineteen hundred and forty-four, nineteen hundred and forty-five, and nineteen hundred and forty-six, and by a final payment of the balance then outstanding in the year ending on the thirty-first day of March, nineteen hundred and forty-seven, and also to pay out of such account the annual interest payable in respect of all moneys so diverted and for the time being not so repaid. 15 20

(3) Nothing herein contained shall be deemed to affect the right of the Council to raise any loan which may hereafter be authorized for the purpose of meeting the said debt of three thousand nine hundred pounds owing by the Council to the Lower Hutt City Council or any part thereof, and the Council is hereby authorized and required to repay from the proceeds of any such loan all moneys diverted as aforesaid and then remaining unpaid. 25 30

(4) All capital repayments made by the Council under subsection *two* or subsection *three* of this section shall be appropriated to the said respective special loans in proportion to the respective amounts diverted from each loan. 35

Provision with respect to scheme of afforestation in the County of Masterton.

4. Whereas by his last will dated the fifteenth day of February, nineteen hundred and forty, probate whereof was granted out of the Supreme Court of New Zealand at Masterton on the fourth day of June, nineteen hundred and forty, Montfort Trimble, of Masterton, Doctor of Laws, deceased, bequeathed his residuary estate to his trustees for the purpose, amongst other things, of paying certain annuities and directed his trustees after the death of the last of the annuitants to transfer the corpus of his residuary estate to the New Zealand Insurance Company, Limited (hereinafter called the Company), in trust to invest the same and to apply the income of such invest- 40 45

ment in perpetuity for the purpose of public afforestation in the area (as existing at the date of his death) of the County of Masterton, in New Zealand, with power for the Company from time to time (in its discretion) to make  
5 such arrangement as it should deem conducive to the said purpose with any local or public authority : And whereas the Masterton County Council (hereinafter called the Council) has purchased for the said purpose an area of three hundred and sixteen acres, more or less, situate  
10 in Block VIII of the Miki Miki Survey District, being part of Section 42 of the Opaki Block, being all the land comprised and described in certificate of title, Volume 401, folio 128 (Wellington Registry) at or for the sum of four hundred and seventy-four pounds and are desirous of  
15 purchasing further lands at a later date for the same purpose : And whereas the Council intends from time to time in due and proper season to improve and to subdivide the lands so purchased and to plant and tend trees, shrubs, and other plants thereon : Be it therefore  
20 enacted as follows :—

(1) Notwithstanding anything to the contrary in the Counties Act, 1920, or in section thirty of the Finance Act, 1922, or in any other Act the purchase of the above-described land by the Council is hereby declared to be  
25 valid in all respects and the Council shall be deemed to have been duly empowered to purchase such land, and the Council is hereby empowered to purchase other lands for the same purpose and to improve and subdivide the lands purchased and to plant and tend trees, shrubs, and  
30 other plants thereon.

(2) Notwithstanding anything to the contrary in the Trustee Act, 1908, or in the last will of the said Montfort Trimble the Company, notwithstanding that it has not yet been appointed trustee of the said will, is hereby em-  
35 powered to approve of any scheme or schemes proposed by the Council to further the purpose of public afforestation in the County of Masterton as aforesaid and to approve of the expenditure of any sums of money already expended or to be expended by the Council for that  
40 purpose in purchasing lands and in improving and subdividing lands so purchased and in planting and tending trees, shrubs, and other plants thereon and to agree with the Council to refund to the Council the whole of the moneys so expended on any scheme or schemes  
45 approved of by the Company out of the first available income-moneys to fall into the hands of the Company from the corpus of the residuary estate of the said Montfort Trimble, deceased, and every scheme so approved by the Company shall have effect according to its tenor.

See Reprint  
of Statutes,  
Vol. V, p. 180  
Ibid, p. 269

Ibid.,  
Vol. VIII,  
p. 873

## City and Borough Councils.

Provision with respect to closing of street by Thames Borough Council.

5. Whereas the Corporation of the Mayor, Councillors, and Burgesses of the Borough of Thames (hereinafter called the Corporation) is seized of an estate in fee-simple in all that parcel of land described in subsection *two* of this section: And whereas the said land is portion of a street along the bank of a river known as the Hape Stream: And whereas the Corporation is satisfied that the said land is of no value for street purposes: And whereas there is no authority for the Thames Borough Council to stop the said portion of street: And whereas it is expedient that provision should be made as hereinafter appears: Be it therefore enacted as follows:—

1933, No. 30

(1) Notwithstanding anything to the contrary in the Municipal Corporations Act, 1933, the Council may, in the manner provided by paragraph (*h*) of subsection four of section one hundred and seventy-five of the said Act, stop that portion of the street hereinbefore referred to.

(2) The parcel of land referred to in this section is described as follows:—

All that parcel of land situated in the Borough of Thames, in the Provincial District of Auckland, being a portion of a public street named Mackay Street, adjoining Lot 33, Block 28, Township of Shortland, and also being a portion of Kauaeranga S. 28A, containing an area of fourteen perches and forty-four hundredths of a perch:—

Commencing at a point formed by the intersection of the line forming the southern boundary of Grey Street and the line forming the western boundary of Mackay Street, bounded towards the north by Grey Street by a line bearing  $68^{\circ} 59' 40''$ , distance 45 links; bounded towards the east by Mackay Street by a line bearing  $159^{\circ} 06'$ , distance 200.54 links; bounded towards the south by Mackay Street by a line bearing  $249^{\circ} 0'$ , distance 45 links; bounded towards the west by Allotment 33, Block 28, Township of Shortland, by a line bearing  $339^{\circ} 06' 00''$ , distance 200.52 links, back to the point of commencement: as the same is more particularly shown on a plan prepared by Courtenay Kenny, licensed surveyor, Paeroa, and to be deposited in the Lands Registry Office at Auckland.

Authorizing remission of rates by Gisborne Borough Council.

6. Whereas the Gisborne Borough Council (hereinafter called the Council) is desirous of obtaining authority to remit arrears of rates amounting to forty-six pounds seven shillings and fivepence, being the rates for the year ended on the thirty-first day of March, nineteen hundred and forty-two (hereinafter referred to as the said rates), the said rates being levied by the Council and being due and payable by the Gisborne and East Coast Young Men's Christian Association (Incorporated) in respect of



that piece of land situated in the Borough of Gisborne containing one rood and thirty-six perches, being Lot 1, Deposited Plan 3003 of 6A Fitzherbert Street, situated in Fitzherbert Street, in the Borough of Gisborne, and  
 5 numbered 3228 on the district valuation roll for that borough: And whereas the Council has no legal authority to make such remission: Be it therefore enacted as follows:—

The Council is hereby authorized to remit the sum  
 10 of forty-six pounds seven shillings and fivepence, being the amount of the said rates, and to absolve the said Association and the said lands from liability in respect thereof.

7. Whereas the Takapuna Borough Council (herein-  
 15 after called the Council) has, pursuant to a requisition made by the Board of Health under the authority of the North Shore Boroughs (Auckland) Water-supply Act, 1941, entered into a contract with the Auckland City Council for the supply to the Borough of Takapuna of  
 20 water sufficient for all the normal requirements of the inhabitants of the borough (including fire-fighting requirements): And whereas in order to take full advantage of the said contract it is expedient that the Council should carry out the works hereinafter specified without delay:  
 25 And whereas it has been found necessary to expend moneys for carrying out the said works, and for this purpose the Council has expended moneys from its District Fund Account and has borrowed moneys from its bankers by way of overdraft: And whereas it is desirable that  
 30 the Council should be authorized to borrow further moneys by way of overdraft pending the raising of a special loan as hereinafter referred to: And whereas, in order to repay its bankers any moneys so borrowed and to recoup the District Fund Account, it is also desirable  
 35 that the Council be authorized to raise a special loan without taking a poll of ratepayers: Be it therefore enacted as follows:—

(1) For the purpose of constructing a reservoir and developing and improving the water-supply system of  
 40 the borough and extending and replacing the water mains and pipes thereof, and cleaning and lining the existing mains and pipes thereof, and acquiring, cleaning, and lining the water mains and pipes heretofore owned by the Devonport Borough Council (hereinafter referred to as  
 45 the said works), the Council is hereby authorized and empowered to borrow from its bankers by way of overdraft moneys not exceeding in the aggregate the sum of twenty-three thousand three hundred pounds in excess of the limits prescribed by section three of the Local Bodies'  
 50 Finance Act, 1921-22, and section twenty-five of the Local Legislation Act, 1938.

Authorizing  
 Takapuna  
 Borough  
 Council to  
 borrow moneys  
 for water-  
 supply  
 purposes.  
 1941, No. 1

See Reprint  
 of Statutes,  
 Vol. V, p. 354  
 1938, No. 18

(2) Any moneys at any time heretofore borrowed by the Council in the manner aforesaid and expended on the said works shall be deemed to have been lawfully borrowed and expended under the authority of this section.

(3) For the purpose of repaying moneys expended from the District Fund Account and any moneys borrowed from its bankers and owing under the authority of this section and completing the said works, the Council is hereby authorized and empowered by special order and without taking the steps prescribed by sections nine to thirteen of the Local Bodies' Loans Act, 1926, to raise a special loan not exceeding in the aggregate the sum of twenty-three thousand three hundred pounds.

(4) Pending the raising of the loan referred to in the *last preceding* subsection the excess overdraft authorized by this section shall be reduced by annual payments of nine hundred and fifty pounds, the first of such payments to be made during the financial year ending on the thirty-first day of March, nineteen hundred and forty-four.

(5) Any moneys borrowed by the Council from its bankers under the authority of this section shall not at any time heretofore be deemed to have been taken into account nor shall any amount at any time lawfully owing by the Council to its bankers under this section hereafter be taken into account in determining the amount that may be borrowed or that may be owed by the Council pursuant to section three of the Local Bodies' Finance Act, 1921-22, and section twenty-five of the Local Legislation Act, 1938.

Authorizing withdrawal of moneys from Depreciation Fund of electricity undertaking of Taihape Borough Council.

8. Whereas the Taihape Borough Council (hereinafter called the Council) has a loan of twenty-one thousand two hundred and fifty pounds, known as the Taihape Water-supply and Electric Light Loan, maturing on the first day of February, nineteen hundred and forty-three: And whereas of the said sum the sum of seven thousand five hundred pounds is in respect of the Council's Electricity Department's undertaking: And whereas the accrued sinking funds in respect of the said sum of seven thousand five hundred pounds will prove insufficient by the sum of two thousand four hundred and fifty pounds to repay the said sum of seven thousand five hundred pounds: And whereas the Council's Electricity Department's Depreciation Fund is now in credit to the extent of four thousand nine hundred and eighty-seven pounds seven shillings and one penny: And whereas the Council desires that the sum of two thousand four hundred and fifty pounds shall be found by withdrawing that sum from the said Depreciation Fund: Be it therefore enacted as follows:—

(1) The Council is hereby authorized to withdraw the sum of two thousand four hundred and fifty pounds from

See Reprint of Statutes, Vol. V, p. 360

the moneys to the credit of the Electricity Department's Depreciation Fund and on the first day of February, nineteen hundred and forty-three, to apply the same for the purpose of paying off in part the portion of the  
 5 Taihape Water-supply and Electric Light Loan of twenty-one thousand two hundred and fifty pounds for which the Council's Electricity Department's undertaking is liable.

(2) The Commissioners of the said Depreciation Fund  
 10 are hereby authorized to pay to the Council the sum of two thousand four hundred and fifty pounds for the purpose mentioned in subsection *one* of this section.

9. The expenditure by the Lower Hutt City Council out of its General Fund of the sum of four pounds six  
 15 shillings and eightpence during the year ended on the thirty-first day of March, nineteen hundred and forty-one, and of the sum of fifty-two pounds during the year ended on the thirty-first day of March, nineteen hundred and  
 20 forty-two, to cover increased costs incurred as a result of war conditions by James Robert Dunnett under a certain contract with the Council bearing date the fifteenth day of March, nineteen hundred and thirty-nine, for the collection and removal of dust and refuse in the City of Lower Hutt is hereby validated and declared to have been  
 25 lawfully incurred.

Validating expenditure by Lower Hutt City Council in respect of refuse contract.

10. (1) The payment to the Temuka Borough Council of the sum of one thousand two hundred and eighty pounds out of the Housing Account under section twenty-nine of the Housing Act, 1919, for the land described in sub-  
 30 section *three* of this section is hereby validated and declared to have been lawfully made.

Validating a payment by the Crown to the Temuka Borough Council.

See Reprint of Statutes, Vol. III, p. 798

(2) The said sum of one thousand two hundred and eighty pounds shall be applied by the Council in and towards the establishment of a fund for the provision of  
 35 a Town Hall and Municipal Offices in the Borough of Temuka.

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

40 Firstly, all that parcel of land containing nine acres one rood thirty-nine perches and two-tenths of a perch, more or less, being Reserves 1698, 1703, 1705, 1707, 2741, 2772, 1652, 2742, 1699, and 2773 of the Borough of Temuka.

45 Secondly, all that parcel of land containing two roods, more or less, being part of Reserve 761 of the Borough of Temuka: as the same is more particularly delineated on the plan marked 30/228/69A, deposited in the Head Office, Department of Lands and Survey at Wellington, and thereon bordered red.

Validating a payment by the Crown to the Patea Borough Council.  
See Reprint of Statutes, Vol. III, p. 798

11. (1) The payment to the Patea Borough Council of the sum of thirty-eight pounds out of the Housing Account under section twenty-nine of the Housing Act, 1919, for the land described in subsection *two* of this section is hereby validated and declared to have been lawfully made. 5

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

All that parcel of land containing eight acres one rood eleven perches and sixteen-hundredths of a perch, more or less, being Lots 1 and 2 on Deposited Plan 5713, being part Block XLVI, Town of Patea, and being part of the land described in certificate of title, Volume 1, folio 253 (New Plymouth Registry). 10

Authorizing Greymouth Borough Council to borrow moneys for extension of Greymouth Cemetery.

12. Whereas the Greymouth Borough Council (hereinafter called the Council) has the control and management of the Greymouth Cemetery: And whereas the Council is desirous of extending the said cemetery by the acquisition of all that parcel of land adjoining the said cemetery containing two roods and thirty perches, being Lot 1 of Section 2303, Block 12, Greymouth Survey District, and of borrowing the sum of two thousand three hundred pounds for the purpose of the acquisition of the said land and of preparing for cemetery purposes that land and other lands now comprised in the Greymouth Cemetery: Be it therefore enacted as follows:— 15 20 25

Ibid., Vol. V, p. 360

The Council is hereby authorized and empowered to raise by way of special loan under the Local Bodies' Loans Act, 1926, without taking the steps prescribed by sections nine to thirteen of that Act, a sum not exceeding two thousand three hundred pounds for the purpose of acquiring the said land and preparing for cemetery purposes the said land and other lands now comprised in the Greymouth Cemetery. 30

Validating grants made by Hastings Borough Council towards earthquake relief.

13. The payment by the Hastings Borough Council during the financial year ending on the thirty-first day of March, nineteen hundred and forty-three, of sums totalling one hundred and fifty pounds to the Mayors of the Cities of Wellington and Palmerston North and of the Borough of Masterton to be spent by the respective Mayors at their discretion towards alleviating acute distress caused as the result of the earthquakes during the months of June and August, nineteen hundred and forty-two, is hereby validated and declared to have been lawfully made. 35 40

Authorizing Pahiatua Borough Council to raise a special loan for water-supply purposes.  
See Reprint of Statutes, Vol. V, p. 360

14. (1) The Pahiatua Borough Council (hereinafter called the Council) is hereby authorized to raise a special loan not exceeding four thousand pounds by special order and without taking the steps prescribed by sections nine to thirteen of the Local Bodies' Loans Act, 1926, for the purpose of meeting a proportion of the cost of extending the water-supply system of the borough. 45 50

(2) Any moneys heretofore expended by the Council from its General Account for the purpose aforesaid are declared to have been lawfully expended and may be repaid to that Account out of the moneys to be raised by way of special loan under the authority of this section.

15 **15.** (1) Any moneys raised by the Wellington City Council (hereinafter called the Council) under the provisions of section seven of the Local Bodies' Finance Act, 1921-22, by way of special loan, known as the Wellington  
10 City Works Loan, 1941, for the purpose of carrying out works occasioned by storm damage, may be applied by the Council for the purpose of carrying out works occasioned by the damage arising from earthquakes occurring in the year nineteen hundred and forty-two.

15 (2) Such moneys may be used to make advances pursuant to the provisions of section forty-five of the Statutes Amendment Act, 1941, and for expenditure under section forty-six of that Act, in respect of the matters mentioned in the said sections forty-five and  
20 forty-six.

(3) The Council is hereby authorized to borrow by way of special loan in the manner provided by the Local Bodies' Loans Act, 1926, without taking the steps prescribed by sections nine to thirteen of that Act, the  
25 amount of, or part of the amount of, the moneys expended under the authority of this section, and the moneys so borrowed may be used for the purposes for which the Wellington City Works Loan, 1941, was originally authorized.

30 **16.** Whereas the building belonging to Archibald Richardson, of Wellington, Clerk, situate on part of Section 484, in the City of Wellington, encroaches on The Terrace, a street in the said city, for a space not wider at any part than fifty-hundredths of a link: And whereas  
35 the said Archibald Richardson has applied to the Wellington City Council for authority to permit the continuance of the said encroachment during the life of the present building: Be it therefore enacted as follows:—

The Wellington City Council is hereby empowered to  
40 grant to the said Archibald Richardson and his assignees a license to occupy that part of the said street encroached upon as aforesaid during such period as the building existing thereon on the passing of this Act shall remain.

45 **17.** Notwithstanding anything to the contrary in any Act, it shall be lawful for the Patea Borough Council to sell all that land being Lot 16, D.P. 1337, Part Section 8, Block XL, Borough of Patea, being part of the land contained in certificate of title, Volume 132, folio 197, in the Taranaki Registry, and to dispose of the

Moneys raised under the Wellington City Works Loan, 1941, may be expended for damage arising from earthquakes in the year 1942.

Ibid., p. 354

1941, No. 26

See Reprint of Statutes, Vol. V, p. 360

Wellington City Council authorized to permit encroachment on The Terrace, Wellington.

Authorizing Patea Borough Council to sell certain land.

1930 (Local),  
No. 14

Authorizing  
Napier  
Borough  
Council to  
sell part of  
a municipal  
endowment.

1933, No. 30

See Reprint  
of Statutes,  
Vol. VI, p. 1134

proceeds of such sale in the manner provided in subsection two of section four of the Patea Borough Council Empowering Act, 1930.

18. Whereas the lands described in subsection *three* of this section are vested in the Mayor, Councillors, and Burgesses of the Borough of Napier (hereinafter called the Corporation) for an estate in fee-simple : And whereas part of the said land is vested in the corporation by virtue of the Napier Borough Endowments Act, 1876, as an endowment for the use, benefit, and improvement of the Borough of Napier : And whereas another part of the said land is part of a street stopped in accordance with the provisions of the Municipal Corporations Act, 1933 : And whereas the Napier Borough Council (hereinafter called the Council) has not the power to sell the land vested in it by the Napier Borough Endowments Act, 1876, and has the power to sell the part of the street stopped as aforesaid only in manner directed by the Municipal Corporations Act, 1933 : And whereas it is desirable that the said lands be sold and that the moneys received upon such sale be applied in manner hereinafter contained : Be it therefore enacted as follows :—

(1) Notwithstanding anything to the contrary in the Napier Borough Endowments Act, 1876, the Municipal Corporations Act, 1933, the Public Reserves, Domains, and National Parks Act, 1928, or in any other Act, the Corporation may sell the lands described in subsection *three* of this section, or any part thereof, either altogether or in lots by public auction, public tender, or private contract, or partly by the one and partly by the other of such modes of sale, and subject to such conditions as to title, time or mode of payment of purchase-money or otherwise as it thinks fit, and with or without a grant or reservation of rights of way, rights of water easements, drainage easements, or other rights and privileges of every description in relation to any land sold or any land remaining unsold, or any part thereof, or any other land vested in the Corporation, on such terms as it thinks fit.

(2) All moneys received by the Corporation upon such sale shall, after payment thereof of all costs of and incidental to the sale, be applied in or towards the purchase or acquisition of other lands hereafter or within two years before the passing of this Act purchased or acquired by the Corporation, and such other lands shall be held freed and discharged from the purposes set out in the Napier Borough Endowments Act, 1876.

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

All that parcel of land situate in the Provincial District of Hawke's Bay and Borough of Napier containing by admeasurement one acre, more or less, being part Municipal Reserve, part Lot 1 on Deposited Plan 2219, Ahuriri

Lagoon Reserve, and parts Sections 700R and 724R, Napier, and being also all the land in Deposited Plan 6707 and part of the land in certificates of title, H.B. Volume 81, folio 295, Volume 87, folio 243, and Volume 108, folio 10.

- 5     **19.** Whereas the Westport Borough Council (hereinafter called the Council) has entered into a certain Electrical Supply Agreement bearing date the twenty-fifth day of July, nineteen hundred and forty, with the Westport Coal Company, Limited (hereinafter called
- 10 the Company), a copy of which is recorded in the office of the Department of Internal Affairs at Wellington under Number I.A. 105/155 : And whereas by section twenty-one of the Local Legislation Act, 1940 (hereinafter referred to as the said section), provision was made vali-
- 15 dating the terms of the said agreement and authorizing the exercise of borrowing-powers by the Council up to the sum of nine thousand pounds for the purpose of providing a power-transmission line and equipment in accordance with the said agreement : And whereas
- 20 it was originally estimated that the cost of the said power-transmission line and equipment would not exceed the sum of nine thousand pounds : And whereas, owing to war conditions and other circumstances beyond the control of the parties, the original estimates of cost have
- 25 been exceeded and the cost of the said power-transmission line and equipment has increased to a sum estimated not to exceed eleven thousand one hundred and fifty pounds : And whereas under the authority of the said section the Council has issued a series of debentures for the
- 30 sum of nine thousand pounds for the purpose of securing the payment of part of the moneys aforesaid, but the balance of approximately two thousand one hundred and fifty pounds has yet to be provided for : And whereas it is desirable to extend the borrowing-powers of the
- 35 Council in manner hereinafter appearing : Be it therefore enacted as follows :—

Notwithstanding anything contained in the said section the Council is hereby authorized, and shall be deemed to have been authorized, to borrow for the purposes

40 set out in that section a sum not exceeding eleven thousand one hundred and fifty pounds, and the said section shall be read and construed as though the reference therein to a sum of nine thousand pounds was a reference to the sum of eleven thousand one hundred and fifty pounds.

45

*Town Board.*

- 20.** Whereas for some years past the Otorohanga Town Board (hereinafter called the Board) has been engaged in the business of exhibiting motion pictures in the Town District of Otorohanga : And whereas the Board on the
- 50 fifth day of November, nineteen hundred and forty, made and executed with Levin Amusements, Limited, a deed

Further provision with respect to agreement made between the Westport Borough Council and the Westport Coal Company, Limited, for the supply of electricity.  
1940, No. 16

Validating agreement between Otorohanga Town Board and Levin Amusements, Limited.

of arrangement which said deed provided for the amalgamation for a definite period of the business of the Board as aforesaid with the similar business then being conducted in the Town District of Otorohanga by Levin Amusements, Limited, and for the future administration and control of the amalgamated businesses : And whereas doubts have arisen as to the competence of the Board under its existing statutory and other powers to enter into, become party to, and be bound by the said deed : Be it therefore enacted as follows :—

All parties to the said deed of the fifth day of November, nineteen hundred and forty, shall be deemed to have had full power and authority to enter into, become party to, and be bound by the said deed, and the said deed shall accordingly bind all parties thereto and take effect according to its tenor.

#### Harbour Boards.

Authorizing payment of compassionate allowance by Auckland Harbour Board.

**21.** The Auckland Harbour Board is hereby empowered to pay out of its Harbour Fund the sum of three hundred and twenty-five pounds ten shillings to Ellen Tyler, of Auckland, the widow of George Alfred Tyler, late Dockmaster at Auckland, as a recognition of the services rendered to the Board by the late George Alfred Tyler.

Validating expenditure incurred by Auckland Harbour Board.

**22.** The expenditure by the Auckland Harbour Board during the financial year ended on the thirtieth day of September, nineteen hundred and forty-one, of the sum of sixty pounds four shillings and threepence in connection with the opening ceremony of the Westhaven Social Hall is hereby validated and declared to have been lawfully incurred.

Validating certain payments made by Wellington Harbour Board in respect of overseas contracts.

**23.** Whereas the Wellington Harbour Board (hereinafter called the Board) prior to the war entered into certain contracts for the supply to the Board at Wellington of six electric cargo-cranes by the East Ferry Crane and Engineering Company, Limited, of England, and of ten electric overhead travelling cranes by Cowans, Sheldon, and Company, Limited, of England : And whereas questions arose between the Board and the said companies concerning the payment of increased costs for the manufacture and delivery of the said cranes caused by the war, and the Board compromised the dispute by paying to the said companies out of its Harbour Fund a portion of the said increased costs—namely, the sum of two thousand one hundred and sixty-seven pounds eight shillings (English sterling currency) to the East Ferry Crane and Engineering Company, Limited, in London, and the sum of two hundred and sixty-two pounds seventeen shillings and sixpence (English sterling currency) to Cowans, Sheldon, and



Company Limited, in London, in full settlement of all claims which the said companies or either of them had or might have against the Board for the said increased costs: And whereas it is desirable to validate the said  
5 payments made by the Board: Be it therefore enacted as follows:—

The said payments out of the Harbour Fund of the Board to the said companies are hereby validated and declared to have been lawfully made.

- 10 **24.** Whereas by the Napier Harbour Board Loan Act, 1933 (hereinafter referred to as the said Act), as amended by the Napier Harbour Board Loan Amendment Act, 1937, and the Napier Harbour Board Loan Amend-  
15 ment Act, 1939, the Napier Harbour Board (hereinafter called the Board) was empowered to raise loans amounting to four hundred and sixty thousand pounds: And whereas the Board has raised the sum of four hundred and sixty thousand pounds and has applied the same in and about the construction and carrying out of the works referred  
20 to in the Schedule to the Napier Harbour Board Loan Amendment Act, 1939: And whereas the loans raised as aforesaid are insufficient for the completion of all the works referred to in the said Schedule: And whereas it is the Board's desire to provide from its Harbour Fund  
25 Account moneys for the completion of the said works: And whereas it may not be possible to provide out of the said Harbour Fund Account the sum required to complete the said works unless the Board is empowered to borrow moneys by way of overdraft in excess of the overdraft  
30 limits allowed by section three of the Local Bodies' Finance Act, 1921-22: And whereas the amount estimated to be required to be so borrowed by way of overdraft (including the limits allowed by section three of the said Local Bodies' Finance Act, 1921-22) is fifty thousand  
35 pounds: And whereas it is desirable that the Board be empowered to borrow such moneys by way of excess overdraft for a period of three years and to provide for the repayment thereof over a further period not exceeding seven years: Be it therefore enacted as follows:—
- 40 (1) Notwithstanding anything to the contrary in the Local Bodies' Finance Act, 1921-22, the Harbours Act, 1923, or in any other Act, the Board may borrow and owe by way of overdraft in the three financial years  
45 nineteen hundred and forty-two, nineteen hundred and forty-three, and nineteen hundred and forty-four, respectively, a sum not exceeding fifty thousand pounds, and the amount by which this sum may exceed the limits allowed under the provisions of the said Local Bodies'  
50 Finance Act, 1921-22, shall be deemed to have been lawfully borrowed and owed.

Authorizing  
Napier  
Harbour Board  
to borrow  
moneys by way  
of overdraft.  
1933 (Local),  
No. 18  
1937 (Local),  
No. 14  
1939 (Local),  
No. 8

See Reprint  
of Statutes,  
Vol. V, p. 354

Ibid.,  
Vol. III, p. 568

(2) Such excess overdraft as may be owing by the Board under the authority of this section shall not be taken into account in determining the amount that may be borrowed and owed by the Board by way of overdraft at any time before the thirtieth day of September, nineteen hundred and fifty-one : 5

Provided that the Board shall repay the amount of such excess overdraft not later than the thirtieth day of September, nineteen hundred and fifty-one, and shall in the meantime repay in each financial year commencing 10 in the year ending on the thirtieth day of September, nineteen hundred and forty-five, such part of the said excess overdraft as the Local Government Loans Board fixes for that financial year.

(3) This section shall be deemed to have come into 15 force on the first day of July, nineteen hundred and forty-two.

*Electric-power Boards.*

Validating  
raising of  
loan-moneys by  
the Thames  
Valley Electric-  
power Board.  
See Reprint  
of Statutes,  
Vol. V. p. 415

**25.** Whereas by Order in Council made under section eleven of the Local Government Loans Board Act, 1926, 20 and dated the twenty-seventh day of July, nineteen hundred and thirty-eight, consent was given to the raising by the Thames Valley Electric-power Board (hereinafter called the Board) of the sum of ninety thousand pounds, being the Board's Extension Loan, 1938, subject to the 25 determinations as to borrowing and repayment therein set forth, one of which determinations was that no moneys should be borrowed under the said consent after the expiration of two years from the date of the said Order in Council : And whereas by Order in Council made under 30 the same section dated the third day of April, nineteen hundred and forty, the determinations aforesaid were varied in so far as they applied to portion of the said loan amounting to twelve thousand pounds, and by Order in Council made under the same section dated the first 35 day of May, nineteen hundred and forty, were again varied in respect of the said sum of twelve thousand pounds, but such two last-mentioned Orders in Council contained no determination extending the period during which the said sum of twelve thousand pounds might be 40 borrowed : And whereas such period expired on the twenty-seventh day of July, nineteen hundred and forty, and the Board did not borrow the said sum of twelve thousand pounds until the first day of October, nineteen hundred and forty, when there was issued a 45 series of debentures numbered 43 to 92 inclusive securing such moneys with interest from that date : And whereas it is desirable that the raising of that portion of the

Extension Loan and the said borrowing should be validated: Be it therefore enacted as follows:—

The action of the Board in raising the aforesaid sum of twelve thousand pounds, being a portion of the Board's  
 5 Extension Loan, 1938, after the expiration of the period determined in the said Order in Council dated the twenty-seventh day of July, nineteen hundred and thirty-eight, is hereby validated, and the said sum shall be deemed to have been lawfully borrowed, and the securities given in  
 10 respect thereof to have been lawfully issued.

26. Whereas the South Canterbury Electric-power Board (hereinafter called the Board) is desirous of establishing and erecting a factory for the manufacture of concrete poles and other concrete works in South Canter-  
 15 bury and is further desirous of paying for the purchase of a site and erecting and equipping such factory with moneys lawfully borrowed for that purpose: And whereas the Board was by Order in Council dated the first day of October, nineteen hundred and forty-one, published  
 20 in the *Gazette* of the twenty-third day of October, nineteen hundred and forty-one (hereinafter referred to as the said Order in Council), authorized to borrow the sum of eighteen thousand pounds for certain purposes connected with the Board's undertaking: And whereas the sum of  
 25 three hundred and seventy-six pounds eleven shillings and elevenpence has been expended out of the moneys borrowed under the authority of the said Order in Council on the purchase of land for the site of a concrete-pole factory and for the erection and equipment of such  
 30 factory: And whereas it is doubtful whether the Board can lawfully spend such moneys for the purpose aforesaid and it is desirable to remove any such doubt: Be it therefore enacted as follows:—

(1) The sum of three hundred and seventy-six pounds  
 35 eleven shillings and elevenpence expended out of the loan of eighteen thousand pounds raised under the authority of the said Order in Council is declared to have been lawfully expended.

(2) The Board is hereby authorized to raise a special  
 40 loan not exceeding four thousand five hundred pounds under the Local Bodies' Loans Act, 1926, by special order and without taking the steps prescribed by sections nine to thirteen of that Act, for the purpose of purchasing a site and erecting and equipping a factory for the manu-  
 45 facture of concrete poles and other concrete works, and for the purpose of repaying to the Board's Power Fund Account any moneys, not exceeding in the aggregate the sum of four thousand five hundred pounds, which may have been expended out of that account for the purposes  
 50 aforesaid prior to the passing of this section.

Authorizing South Canterbury Electric-power Board to borrow for erection of concrete-pole factory.

See Reprint of Statutes, Vol. V, p. 360

Special provision with respect to supply of electricity by Grey Electric-power Board.

See Reprint of Statutes, Vol. V, p. 415

27. Whereas the Grey Electric-power Board (hereinafter called the Board) on the eleventh day of February, nineteen hundred and forty-two, pursuant to the Local Government Loans Board Act, 1926, made application to the Local Government Loans Board for its sanction to raise a special loan of ten thousand pounds for the further reticulation of its district and the reticulation of part of the area (hereinafter referred to as the said area) particularly described in subsection *five* hereof: And whereas the said area comprises with other areas that area of land constituted the Reefton Electric-power District by Proclamation dated the twenty-eighth day of June, nineteen hundred and twenty-one, published in the *Gazette* dated the thirtieth day of June, nineteen hundred and twenty-one: And whereas, owing to circumstances arising which made the carrying-out of the reticulation of part of the said area a matter of urgency, the Board proceeded to carry out such reticulation while the said application was still under consideration by the Local Government Loans Board: And whereas the Board has since the making of the said application expended the sum of seven thousand pounds on the further reticulation of the Grey Electric-power District and the reticulation of part of the said area: And whereas such expenditure was provided for from the Board's Power Fund Account: And whereas the Local Government Loans Board has sanctioned the borrowing by the Board of three thousand pounds for the purpose of completing that portion of the proposed reticulation of the Grey Electric-power District not yet carried out: And whereas the Board has no power to raise a loan for the purpose of recouping its Power Fund Account in respect of the aforesaid expenditure of seven thousand pounds: And whereas it is desirable that any expenditure in the said area heretofore incurred by the Board be validated and that the Board be authorized to borrow seven thousand pounds for the purpose of refunding to its Power Fund Account the said sum of seven thousand pounds: Be it therefore enacted as follows:—

(1) The said Proclamation dated the twenty-eighth day of June, nineteen hundred and twenty-one, constituting the Reefton Electric-power District is hereby revoked and the Reefton Electric-power Board is hereby dissolved.

(2) All electric lines and other electric works at any time heretofore constructed and all things at any time heretofore done by the Board in respect of the said area shall be deemed to have been lawfully constructed, made, or done, and shall have effect as if at all such times the said area had been included in the Grey Electric-power District.

(3) The Board is hereby authorized to raise under the Local Bodies' Loans Act, 1926, by special order and without taking the steps prescribed by sections nine to thirteen of that Act a further special loan of seven thousand pounds and to pay the proceeds of such loan to its Power Fund Account for the purpose of refunding to such account the aforesaid expenditure of seven thousand pounds.

See Reprint  
of Statutes,  
Vol. V, p. 360

- (4) The said area is particularly described as follows :—
- 10 All that area in the Nelson Land District, Inangahua County, comprising portions of Maimai, Reefton, and Inangahua Survey Districts, bounded on the west by the line forming the eastern boundary of Inangahua County : Commencing at a point in the centre of the Otututu or
- 15 Rough River on the boundary of the Grey Electric-power District as described in the *Gazette* of the eighteenth day of July, nineteen hundred and forty, and running generally northerly and north-easterly along the line forming the boundary of Inangahua County to a
- 20 point on the northern boundary of Inangahua County, situated on the left bank of Dee Creek in Block V, Inangahua Survey District, where the Inangahua County boundary intersects the eastern boundary of Block V of Inangahua Survey District ; thence south-easterly along
- 25 the left bank of the said Dee Creek on the line forming the boundary between Blocks V and VI, Inangahua Survey District, to its point of intersection with the line forming the eastern boundary of Block V, Inangahua Survey District ; thence due south along the eastern
- 30 boundaries of Blocks V, IX, and XIII, Inangahua Survey District, including Section 25, continuing due south along the eastern boundaries of Blocks III, VII, XI, and XV of Reefton Survey District, and Block III of Waitahu Survey District to the south-eastern corner of Block III,
- 35 Waitahu Survey District ; thence due west along the southern boundaries of Blocks III and II of Waitahu Survey District to a point on the boundary of the District of the Grey Electric-power Board on the south-eastern corner of Block I, Waitahu Survey District ; thence along
- 40 the boundary of the Grey Electric-power District as described in the *Gazette* of the eighteenth day of July, nineteen hundred and forty, following this boundary to the point of commencement on the boundary of the Inangahua County, excluding therefrom all that area
- 45 covered by the District of the Reefton Electric Supply Company and described in the *Gazette* of the twenty-fourth day of February, nineteen hundred and sixteen.

*River and Drainage Boards.*

Section 50 of  
the Local  
Legislation Act,  
1936, extended.  
1936, No. 54  
1937, No. 25  
1939, No. 25

See Reprint  
of Statutes,  
Vo. IV, p. 479

**28.** Whereas it is enacted by section fifty of the Local Legislation Act, 1936, as extended by section forty-two of the Local Legislation Act, 1937, and section forty-one of the Local Legislation Act, 1939, that the Mangapu Drainage Board (hereinafter called the Board) is authorized to make and levy for certain years as set out in those sections a general rate, not exceeding threepence in the pound, on the land classified in accordance with section thirty-three of the Land Drainage Act, 1908, as "A" lands; a general rate, not exceeding twopence in the pound, on lands so classified as "B" lands; and a general rate, not exceeding one penny in the pound, on lands so classified as "C" lands: And whereas it is expedient that the Board should be empowered to continue to rate on that basis for a further period: Be it therefore enacted as follows:—

The provisions of section fifty of the Local Legislation Act, 1936, as extended by section forty-two of the Local Legislation Act, 1937, and section forty-one of the Local Legislation Act, 1939, shall be deemed to be further extended to authorize and to have authorized the Board to make and levy the general rates as set out in subsection two of section fifty of the Local Legislation Act, 1936, for the years ending respectively on the thirty-first day of March, nineteen hundred and forty-three, on the thirty-first day of March, nineteen hundred and forty-four, and on the thirty-first day of March, nineteen hundred and forty-five.

Prescribing  
system for  
collecting rates  
within Taradale  
Town District  
for Hawke's  
Bay Rivers  
Board  
purposes.  
1919 (Local),  
No. 22

**29.** Section ten of the Hawke's Bay Rivers Act, 1919, is hereby amended as follows:—

- (a) By inserting, after the words "Wards Numbers Two, Three, and Four", the words "(with the exception of the area contained within the boundaries of the Town District of Taradale)":
- (b) By adding the following words: "In that portion of Ward Number Two contained within the boundaries of the Town District of Taradale, according to the system of rating for town district purposes for the time being in force in that town district. Any rate so levied within that town district shall be adjusted so as to yield as nearly as may be the amount that would be produced in that area if the rate were levied according to the system of rating for county purposes for the time being in force in the County of Hawke's Bay".

*Hospital Boards.*

30. Whereas the Southland Hospital Board (herein-  
after called the Board) made application for authority to  
raise a loan of twenty thousand pounds (hereinafter  
5 referred to as the said loan) for the purpose of providing  
funds for the carrying-out of alterations and renovations to,  
and the re-equipment of, Dee Street Hospital, Invercargill :  
And whereas, in order to avoid delay in the completion of  
the said works, the Board commenced such works before  
10 the Board was authorized to raise the said loan and  
consequently the Board is precluded without further  
authority from raising the said loan : And whereas it  
is desirable that provision be made as hereinafter  
appears : Be it therefore enacted as follows :—
- 15 (1) Subject to compliance with the provisions of the  
Local Government Loans Board Act, 1926, the Board is  
hereby authorized and empowered to raise the amount of  
the said loan, notwithstanding that portion of the work  
in respect of which the said loan was to have been raised  
20 has been commenced.
- (2) The Board is hereby further authorized and  
empowered to refund to its General Account out of the  
loan-moneys any sums expended from that account in  
respect of the said works and for payment of all other  
25 liabilities incurred or to be incurred in connection with the  
completion of the said works.
31. The payment by way of compassionate allowance  
by the Grey Hospital Board out of its General Account  
of the sum of one hundred and seventy-two pounds twelve  
30 shillings on the sixteenth day of August, nineteen hundred  
and forty, to the Public Trustee as legal representative  
of the dependants of Arthur Joseph Fraser, an  
employee of the Board who died on the twenty-fifth  
day of July, nineteen hundred and forty, is hereby  
35 validated and declared to have been lawfully made.
32. Whereas the Wellington Hospital Board (herein-  
after called the Board) has raised a loan of seventy-nine  
thousand two hundred and fifty pounds for the purpose  
of erecting and equipping a nurses' home at the Wellington  
40 Hospital, such loan being known as the Nurses' Home  
Loan, 1937 (hereinafter referred to as the said loan) :  
And whereas the moneys so raised are not required  
immediately for the purposes for which the said loan was  
authorized and the Board is desirous of diverting and  
45 utilizing such moneys or part thereof for other purposes :  
And whereas it is intended that all moneys so diverted  
and utilized shall be repaid by other moneys now or  
hereafter authorized to be borrowed for any of the pur-  
poses hereinafter mentioned : Be it therefore enacted  
50 as follows :—

Validating  
certain  
irregularities  
by the  
Southland  
Hospital Board  
in connection  
with a loan  
proposal of  
£20,000.

See Reprint  
of Statutes,  
Vol. V, p. 415

Validating  
payment of  
compassionate  
allowance by  
Grey Hospital  
Board.

Authorizing  
Wellington  
Hospital Board  
to divert  
temporarily  
certain  
loan-moneys  
to other  
purposes.

See Reprint  
of Statutes,  
Vol. III, p. 725

(1) Subject to the provisions of subsection three of section seventy-five of the Hospitals and Charitable Institutions Act, 1926, the Board may, without derogating from the purposes for which the same is raised, divert and utilize the moneys representing the said loan, or so much thereof as may be required, for the purposes following—namely, the provision, erection, and equipping of other buildings at the Wellington Hospital and the provision of necessary services in connection therewith for the purposes of providing additional bed accommodation for patients. 5 10

(2) All payments made by the Board before the passing of this Act out of the said loan for all or any of the purposes aforesaid are hereby validated.

(3) Nothing herein contained shall be deemed to affect the right of the Board to raise any loan heretofore authorized, or any loan which may hereafter be authorized, for the purpose of meeting the cost of any of the works mentioned in subsection one of this section. 15

(4) The Board is hereby authorized and required to repay from the proceeds of any loan referred to in the *last preceding* subsection all moneys temporarily diverted from the said loan. 20

Authorizing  
Wellington  
Hospital Board  
to apply  
moneys  
received  
by way of  
compensation  
in respect of  
land taken  
under Public  
Works Act,  
1928, in  
manner  
approved by  
Minister of  
Health.  
Ibid.,  
Vol. VII, p. 622

Ibid.,  
Vol. III, p. 725

**33.** Whereas by Proclamation published in the *Gazette* on the sixteenth day of December, nineteen hundred and thirty-seven, the land hereinafter described, then vested in the Wellington Hospital Board (hereinafter called the Board), was taken under the provisions of the Public Works Act, 1928 : And whereas the Board received compensation in respect of the taking of the said land : And whereas the Board is desirous of expending in manner not authorized by law the moneys received as compensation : Be it therefore enacted as follows :— 25 30

(1) Notwithstanding the provisions of section seventy-three of the Hospitals and Charitable Institutions Act, 1926, the Board may expend the moneys received by way of compensation as aforesaid (together with any accrued interest from the investment of such moneys) for the purpose of acquiring land to be used as sites for additional hospital accommodation within the Wellington Hospital district or in such other manner as may be approved by the Minister of Health. 35 40

(2) All payments made by the Board before the passing of this Act out of the said moneys are hereby validated.

(3) The land to which this section relates is particularly described as follows :— 45

All that piece or parcel of land situated in the City of Wellington, containing two roods seventeen perches and eighteen-hundredths of a perch, more or less, being part of Section 514, Town of Wellington, and being all 50



the land comprised and described in certificates of title, Volume 46, folio 157, and Volume 401, folio 19, Wellington Registry.

- 5 **34.** Whereas by section forty-eight of the Local  
 Legislation Act, 1939, the Wellington Hospital Board  
 (hereinafter called the Board) was authorized and em-  
 powered to divert and utilize the moneys representing  
 the Wellington Hospital Centenary Block Loan, 1937-  
 10 1940, for other purposes subject however to the provisions  
 of the said section: And whereas the Board is desirous  
 for diverting and utilizing such moneys, or part thereof,  
 for further and additional purposes: And whereas the  
 original purposes for which the said loan was raised no  
 longer exist and the Board is desirous that the temporary  
 15 diversion of such moneys be made permanent: Be it  
 therefore enacted as follows:—

Authorizing  
 diversion of  
 loan-moneys  
 by Wellington  
 Hospital Board.  
 1939, No. 25

- Section forty-eight of the Local Legislation Act,  
 1939, as amended by section thirty-five of the Local  
 Legislation Act, 1941, is hereby further amended as  
 20 follows:—

- (a) By adding the following paragraph to subsection  
 one of the said section—  
 “(l) The provision, erection, and equipping  
 25 of a mortuary at the Wellington  
 Hospital”.
- (b) By omitting from subsection one the words  
 “without derogating from the purposes for  
 which the same were raised”:
- (c) By repealing subsection four.

30 *Affecting Two or more Classes of Public Bodies.*

- 35.** Whereas pursuant to section twenty-five of the  
 Town Planning Act, 1926, the Governor-General, by  
 Order in Council made on the twenty-sixth day of  
 February, nineteen hundred and forty-one, required the  
 35 Waitemata County Council (hereinafter called the County  
 Council) to prepare an extra-urban planning scheme in  
 respect of the area described in the Schedule to the said  
 Order in Council, being lands adjoining the Waitakere  
 Scenic Drive, in the County of Waitemata: And whereas  
 40 the said scheme is in course of preparation and will enure  
 to the benefit of the Main Highways Board (hereinafter  
 called the Board) and the City of Auckland as well as of  
 the County of Waitemata and it is expedient that the  
 Board and the Corporation of the Mayor, Councillors,  
 45 and Citizens of the City of Auckland (hereinafter called  
 the City Corporation) should be empowered to enter into  
 an agreement with the Corporation of the Chairman,  
 Councillors, and Inhabitants of the County of Waitemata  
 (hereinafter called the County Corporation) with respect

Provision with  
 respect to  
 Waitakere  
 Extra-urban  
 Planning  
 Scheme in  
 the County of  
 Waitemata.  
 See Reprint  
 of Statutes,  
 Vol. V. p. 488

to the payment of compensation and other expenses likely to arise from the operation of the said scheme: Be it therefore enacted as follows:—

(1) It shall be lawful for the Board, the City Corporation, and the County Corporation from time to time to enter into an agreement or agreements providing for the payment by the Board and the City Corporation of such amount, and in such proportions as may be agreed upon, of the amount of compensation, including costs, payable under the said Act for land acquired or taken for the purposes of the said scheme or for injurious affection of land arising out of the operation of the said scheme or the claimant's costs payable in terms of section fifty-four of the Statutes Amendment Act, 1940, where all or any of the provisions of the said scheme are withdrawn or modified by a varying scheme if such compensation or costs be adjudged payable by a Court of competent jurisdiction or be agreed upon between the claimant and the County Council with the approval of the Board and the Auckland City Council.

(2) Any such agreement or agreements may provide also for the payment by the Board and the City Corporation of the costs and expenses incurred by the County Corporation in promoting and administering the said scheme.

(3) Any such agreement or agreements entered into as aforesaid may contain such provisions and conditions as are necessary to give full effect to the intention of this section and to protect to its own satisfaction the interests of each of the parties.

(4) In pursuance of any obligation incurred by the Board or by the City Corporation in terms of any agreement or agreements entered into under this section, it shall be lawful for the Board, out of the Main Highways Account, and for the Auckland City Council, out of its District Fund Account, to pay such sums as may be necessary.

Authorizing  
Buller County  
Council and  
Westport  
Borough  
Council to  
raise special  
loans for  
aerodrome  
purposes.

**36.** Whereas the Buller County Council and the Westport Borough Council (hereinafter referred to as the said Councils) have resolved for the purposes of and incidental to the establishment of an aerodrome at the locality known as Carter's Beach, near Westport, to join with each other in the acquisition of the freehold land more particularly described in subsection *five* of this section, such land to form, together with other lands adjacent thereto, the site for the said proposed aerodrome: And whereas the said Councils will each require to provide the sum of one thousand pounds towards the purchase of the said land, and it is desirable that each of the said

Councils should be authorized to raise its proportion of the purchase-money : Be it therefore enacted as follows :—

(1) Each of the said Councils is hereby authorized to raise a special loan not exceeding in amount the sum of  
 5 one thousand pounds under the Local Bodies' Loans Act, 1926, by special order and without taking the steps prescribed by sections nine to thirteen of that Act, each such loan to be for the purpose of meeting the expenses to the said Councils of and incidental to the joint purchase  
 10 of the land described in subsection *five* of this section as part of the site for a proposed aerodrome at the locality known as Carter's Beach, near Westport.

See Reprint  
of Statutes,  
Vol. V, p. 360

(2) Any sums borrowed by way of overdraft before or after the passing of this Act by either of the said Councils  
 15 for the purposes set out in subsection *one* of this section and not exceeding in each case the sum of one thousand pounds in excess of the limits prescribed by section three of the Local Bodies' Finance Act, 1921-22, are hereby declared to be lawfully borrowed and owing.

Ibid.,  
Vol. V, p. 354

(3) Any such sums shall not at any time heretofore be deemed to have been taken into account, nor shall any amount lawfully owing under this section hereafter be taken into account in determining the amount that may be borrowed or that may be owed by either of the said  
 20 Councils pursuant to section three of the Local Bodies' Finance Act, 1921-22.

(4) All sums owing by way of overdraft pursuant to the authority of this section shall be repaid out of the loan-moneys authorized by this section to be borrowed.  
 30 (5) The land to which this section relates is particularly described as follows :—

That piece of freehold land containing one hundred and twenty-five acres and eight perches being part of Section numbered 17 of Block LL, Steeples Survey District, and  
 35 being part of the land comprised in certificate of title, Volume 82, folio 190, Nelson Land Registry.

37. Whereas the Mayor, Councillors, and Citizens of the City of Wellington (hereinafter called the Corporation) and the Wellington Harbour Board (hereinafter called the  
 40 Board) have agreed to exchange certain pieces of land, hereinafter described, for the purpose of diverting Marine Parade, a street in the City of Wellington : And whereas by reason of such exchange the land so acquired by the Board will lie between certain land leased by the Board  
 45 and the western line of the new street and will deprive the lessees thereof of their frontage to the said street as now existing : And whereas the Board is desirous that the land proposed to be vested in the Board so far as it lies between the respective lands now leased by the Board as  
 50 aforesaid and the western line of the new street shall

Exchange of  
land between  
the Wellington  
City Corpora-  
tion and the  
Wellington  
Harbour Board,  
and vesting  
portion of a  
closed street  
in the lessees  
of adjoining  
land.

be incorporated in the existing leases as if they had formed part of the land comprised in the said leases from the date of commencement of the said leases: Be it therefore enacted as follows:—

(1) Those pieces of land, containing respectively one perch and twenty-four hundredths of a perch, three perches and fifty-five hundredths of a perch, two perches and forty-nine hundredths of a perch, and four-tenths of a perch, being part of Section 8, Watts Peninsula Registration District, Block VII, Port Nicholson Survey District, and being the land coloured green on a plan deposited in the office of the Chief Surveyor at Wellington as Number 20808, are hereby closed as street and vested for an estate in fee-simple in the Board. 5 10

(2) That piece of land containing five perches and eighty-six hundredths of a perch, being part of Lot VII on Deposited Plan Number 2755, being part of Section 8, Watts Peninsula District, Block VII, Port Nicholson Survey District, and being part of the land comprised in certificate of title, Volume 445, folio 86 (Wellington Registry), and being the land coloured red on the said Plan Number 20808, is hereby vested in the Corporation as street. 15 20

(3) The pieces of land so vested in the Board shall on the passing of this Act be deemed to form part of Lots 1, 2, 3, and 4 on Deposited Plan Number 2851 as if the boundaries of the said lots had been extended to meet the new western line of Marine Parade, and Leases Registered Numbers 21294, 21118, 21119, and 20335 shall hereafter be read and construed as if the respective pieces of land hereby incorporated in the said Lots 1, 2, 3, and 4 had been included respectively in each of the said leases from the date of commencement of the said leases. 25 30

(4) All dealings registered before new certificates of title are issued affecting the said Lots 1, 2, 3, and 4 shall be deemed to affect the said lots extended as aforesaid. 35

(5) The District Land Registrar may call in for correction and correct in accordance with the provisions of this section all instruments of title affecting the said Lots 1, 2, 3, and 4 and affecting the land comprised in certificate of title, Volume 445, folio 86 (Wellington Registry). 40

(6) In fixing the rent for any renewal of any of the said leases the land contained therein shall, for valuation purposes, be deemed to include the areas incorporated in the said Lots 1, 2, 3, and 4 by this section. 45

*Miscellaneous.*

38. Notwithstanding anything to the contrary in the Local Railways Act, 1914, or the Ohai Railway Board Amendment Act, 1938, the expenditure of a sum of sixty-  
 5 two pounds and tenpence during the financial year ended on the thirty-first day of March, nineteen hundred and forty-two, by the Ohai Railway Board in connection with the celebration of the twenty-fifth anniversary of the constitution of the Ohai Railway District is hereby  
 10 validated and declared to have been lawfully made.

Validating expenditure by Ohai Railway Board.

See Reprint of Statutes, Vol. VII, p. 935 1938 (Local), No. 6

39. Whereas by an Order in Council dated the eighth day of November, nineteen hundred and thirty-nine, which came into force on the first day of April, nineteen hundred and forty, the boundaries of the Hawke's Bay  
 15 Rabbit District were altered and redefined: And whereas by an Order in Council dated the eighth day of November, nineteen hundred and thirty-nine, which came into force on the first day of April, nineteen hundred and forty, the Southern Hawke's Bay Rabbit District was constituted  
 20 and the boundaries of the area comprised therein were defined and declared a rabbit district: And whereas such area comprised the area excluded from the Hawke's Bay Rabbit District by the first-recited Order in Council: And whereas the Boards of the two districts have entered  
 25 into an agreement providing for the equitable division of the funds of the Hawke's Bay Rabbit Board as at the first day of April, nineteen hundred and forty, between the two Boards on the basis of the amount of rates struck in the two districts for the year ended on the thirty-first of  
 30 March, nineteen hundred and forty: And whereas such division was effected pursuant to the said agreement by the transfer of certain assets from the Hawke's Bay Rabbit Board to the Southern Hawke's Bay Rabbit Board and by a cash payment of forty pounds eighteen shillings and  
 35 fourpence: And whereas it is desirable that such transfer and payment be validated and confirmed: Be it therefore enacted as follows:—

Validating transfer of certain funds and assets as between Hawke's Bay Rabbit Board and Southern Hawke's Bay Rabbit Board.

(1) The payment made by the Hawke's Bay Rabbit Board of the sum of forty pounds eighteen shillings and  
 40 fourpence and the transfers made by the Hawke's Bay Rabbit Board to the Southern Hawke's Bay Rabbit Board of the assets described in subsection *two* of this section are hereby validated and declared to have been lawfully made.

(2) The assets to which this section relates are as follows: £505 New Zealand Government inscribed stock, Inscription No. 46/2312; £510 New Zealand Government inscribed stock, Inscription No. 49/3844; three debentures  
 45 to bearer of £100 each issued by the Hawke's Bay Electric  
 50 power Board and numbered respectively 316, 322, and

323; outstanding rates and judgment costs due from ratepayers in the Southern Hawke's Bay Rabbit District amounting in all to a sum of sixty-three pounds six shillings and fourpence.

Abolishing  
Waotu and  
Te Aria  
Rabbit-proof  
Fencing  
Districts.

40. Whereas by Warrant dated the twenty-second day 5  
of December, nineteen hundred and twenty-one, and  
published in the *Gazette* of the twenty-second day of  
the same month, the Governor-General constituted the  
Waotu Rabbit-proof Fencing District under Part IV of  
the Rabbit Nuisance Act, 1908: And whereas by Warrant 10  
dated the tenth day of January, nineteen hundred and  
twenty-four, and published in the *Gazette* of the seventeenth  
day of the same month, the Te Aria Rabbit-proof Fencing  
District was similarly constituted: And whereas the said 15  
districts enure for the purposes of Part II of the Rabbit  
Nuisance Act, 1928, and are deemed to have been  
constituted thereunder: And whereas all liabilities and  
assets of the Boards of Trustees established for each of  
the said districts have been duly discharged and disposed  
of and it is deemed desirable to abolish the said districts: 20  
Be it therefore enacted as follows:—

See Reprint  
of Statutes,  
Vol. I, p. 243

The Waotu Rabbit-proof Fencing District and the  
Te Aria Rabbit-proof Fencing District are hereby abolished  
and the respective Boards of Trustees thereof are hereby  
dissolved. 25