

Mr. T. A. H. Field.

NELSON HARBOUR BOARD EMPOWERING.

[LOCAL BILL.]

ANALYSIS.

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| <p>Title.</p> <p>1. Short Title.</p> <p>2. Interpretation.</p> <p>3. Act to be deemed a special Act.</p> <p>4. Board may acquire part of the Nelson Railway Reserve and the Railway Wharf and other wharves and erections thereon.</p> | <p>5. Board empowered to borrow a sum not exceeding £103,000.</p> <p>6. Board may exercise powers created by Rating Act, 1908. Schedule.</p> |
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A BILL INTITULED

AN ACT to empower the Nelson Harbour Board to acquire Part of the Nelson Railway Reserve and the Wharves and other Buildings and Erections thereon. Title.

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

1. This Act may be cited as the Nelson Harbour Board Empowering Act, 1917. Short Title.

10 2. In this Act "the Board" means the Nelson Harbour Board as constituted under the Nelson Harbour Act, 1905. Interpretation.

3. This Act shall be deemed to be a special Act within the meaning of the Harbours Act, 1908, and its amendments, which Acts are hereby incorporated with this Act. Act to be deemed a special Act.

15 ~~4. It shall be lawful for the Board to purchase from His Majesty the King part of the Nelson Railway Reserve and the Railway Wharf and other wharves, buildings, and erections thereon within the boundaries of the area described in the Schedule hereto at such price as may be agreed upon, but not exceeding one hundred thousand pounds.~~ Struck out.

20 4. It shall be lawful for the Board to purchase from His Majesty the King part of the Nelson Railway Reserve and the Railway Wharf and other wharves, buildings, and erections thereon within the boundaries of the area described in the Schedule hereto at such price as may be agreed upon, but not exceeding one hundred thousand pounds. Board may acquire part of the Nelson Railway Reserve and the Railway Wharf and other wharves and erections thereon.

New.

25 4. (1.) It shall be lawful for the Board, at any time within twelve months from the date of the coming into operation of this Act, to purchase from His Majesty the King part of the Nelson Railway Reserve and the Railway wharf and other wharves, buildings, and erections thereon, within the boundaries of the area described in the First Schedule, for the sum of one hundred thousand one hundred and seventy-one pounds, the price agreed upon. Board empowered to borrow a sum not exceeding £103,000.

30 (2.) Upon the completion of the purchase authorized by this Act the lands described in the Second Schedule hereto shall be and become vested in His Majesty the King for an estate in fee simple for railway purposes.

5. (1.) The Board shall have the power to borrow (subject to the provisions of the Harbours Act, 1908, and to the provisions of this Act) any sum not exceeding one hundred and three thousand pounds, to be applied in and about the purchase of the said part of the Nelson Railway Reserve and the Railway Wharf and other wharves, buildings, and erections thereon. 5

(2.) No money shall be borrowed under the authority of this Act which shall produce to the lender a higher rate of interest than five pounds ten shillings per centum per annum.

(3.) Such moneys may be raised in the manner prescribed by the Local Bodies' Loans Act, 1913; and the provisions of that Act shall apply as if the Board were a local authority, the Nelson Harbour Board District were a district, and the said part of the Nelson Railway Reserve and the Railway Wharf and other wharves, buildings, and erections were public works within the meaning of Part I of that Act, subject, however, to the modification that where anything is required to be done by special order it may be done by the Board by resolution. 10 15

(4.) For the purpose of securing the repayment of the moneys authorized to be borrowed as aforesaid the Board may pledge the said part of the Nelson Railway Reserve and the said Railway Wharf and other wharves, buildings, and erections and the endowments of the Board as defined by section four of the Nelson Harbour Act, 1905, or any part thereof; and, as further security for the money authorized to be borrowed as aforesaid, the Board may make and levy a special rate not exceeding one penny in the pound in the year on the capital value of all rateable property in the Nelson Harbour Board District. 20 25

Board may exercise powers created by Rating Act, 1908.

6. (1.) For the purposes of making, levying, and recovering the special rate hereby authorized, the Board may exercise all powers of making, levying, and recovering rates created and given by the Rating Act, 1908, and its amendments. 30

(2.) The special rate leviable under this Act may be made payable at the same dates and places as any rate made or which may hereafter be made under the Nelson Harbour Act, 1905; and the demand for the said rate may be made by the same notice as the demands for rates under the said Act. 35

(3.) In any action for the recovery of any rate, the rate-book or the book purporting to be the rate-book, if signed by the Chairman or two members of the Board, shall be conclusive proof of the contents thereof and that the amount is owing. 40

Schedules.

## SCHEDULES.

### FIRST SCHEDULE.

ALL that portion of the Nelson Haven containing by admeasurement 37 acres 2 roods 9 perches, more or less, being a portion of the land taken for railway purposes by Proclamation dated 10th February, 1903, set out in *Gazette* No. 12, Volume 1, folio 494, dated 19th February, 1903, and by Proclamation dated 15th October, 1909, set out in *Gazette* No. 87, Volume 2, folio 2614, dated 21st October, 1909, and by Proclamation dated 18th May, 1910, set out in *Gazette* No. 50, Volume 1, folio 1583, dated 26th May, 1910,—commencing at the most northerly corner of Custom House Hotel lease No. 4333, running thence in a north-westerly direction for 460·76 links;

thence north-east for 300 links; thence south-east for 1274·5 links; thence north-east for 477·6 links; thence north-west for 1695·6 links; thence south-west for 1400 links; thence south-east for 60·6 links; thence south-west for 3481·6 links; thence south-east for 669·2 links; thence north-east along Wakefield Quay for a distance of about 3475 links to the Police-station Reserve; thence north-west for 139·52 links; thence north-east for 228·3 links; thence south-east for 79·62 links; thence south-east for 60·35 links; thence easterly along Wakefield Quay for 420·5 links; thence along the southern boundary of G. M. Harden's lease No. 9562 for 47 links; thence along the eastern boundaries of leases 9562, 9417, 9115, and 4333 to the commencing-point: *as the same is more particularly shown coloured edged blue on plan marked W.R. 24886, in the office of the Minister of Railways, at Wellington.*

**New.**

**SECOND SCHEDULE.**

All that portion of Nelson Haven, containing an area of 15 acres, more or less, being portion of the Nelson Harbour Board endowments: Commencing at a point in the south-eastern boundary of and 477·6 links distant from the easternmost point of Section 1172; thence by a straight line in a south-easterly direction to the northernmost corner of Section 1178; thence by the north-western boundary of Section 1178 to the boundary of the land taken for railway purposes by a Proclamation published in the *New Zealand Gazette*, No. 12, of the 19th day of February, 1903; thence by the outer boundary of the land taken by said Proclamation to the southernmost corner of Section 1172; thence by the south-eastern boundary of the said Section 1172, a distance of 480 links, to the point of commencement: *as the same is more particularly shown coloured edged blue on plan marked W.R. 24886, in the office of the Minister of Railways, at Wellington.*