



INVERCARGILL HOSPITAL RESERVE MANAGEMENT ORDINANCE 1873.

IN THE THIRTY-SEVENTH YEAR OF THE REIGN OF HER MAJESTY
QUEEN VICTORIA.

SESSION XXXII. No. 415.

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AN ORDINANCE to provide for the management of the Hospital Reserve at Title.
Invercargill in the Province of Otago.

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNORS PLEASURE THEREON—30TH JULY 1873.]

WHEREAS the parcels of land particularly described in the Schedule ^{Preamble.} hereto have under and by virtue of the "Public Reserves Act 1854" and "The Public Reserves Act Amendment Act 1862" been granted by the Governor of New Zealand in the name and on behalf of Her Majesty to the Superintendent of Southland and his successors and is now vested in the Superintendent of the Province of Otago by virtue of the provisions of "The Otago and Southland Union Act 1870" upon trust for purposes of a public Hospital: And whereas by "The Public Reserves Act Amendment Act 1862" it is provided that it shall be lawful for the Superintendent and Provincial Council of any Province by any Act or Ordinance to be from time to time duly passed in that behalf to direct and declare that any lands vested in the Superintendent of any Province under the provisions of the "Public Reserves Act 1854" upon trust for any public purposes shall be transferred to and vested in and held by any Corporation Commission or other person or persons having corporate succession to be named in such Act or Ordinance in trust for the like or for any other public purpose to be specified and declared in such Act or Ordinance in such manner and with such powers of lease management and disposition over the same and over all rents issues profits and proceeds thereof and other powers provisions and conditions as should in such Act or Ordinance be expressed or declared: And whereas it is expedient to make provision for the management of the said parcels of land in manner hereinafter appearing:

BE IT THEREFORE ENACTED by the Superintendent of the Province of Otago by and with the advice and consent of the Provincial Council thereof as follows:—

Short Title.

1. This Ordinance may be cited and referred to as the "Invercargill Hospital Reserve Management Ordinance 1873."

Trustees of Hospital incorporated.

2. William Wood, mayor of the incorporated town of Invercargill Henry McCulloch resident magistrate for the district of Invercargill and Andrew Jamieson Elles collector of Her Majesty's Customs at the port of Invercargill and all such other persons as shall be hereafter appointed members under the provisions of this Ordinance and their successors shall be and they are hereby constituted a corporate body in fact and in law by the name and style of the "Trustees of the Invercargill Hospital" (hereinafter referred to as the "Trustees") and by that name they and their successors shall have perpetual succession and a common seal with full power and authority by the same name and style to sue and be sued plead and be impleaded defend and be defended in all courts and in all causes and suits at law or in equity whatsoever with power to take purchase and hold to them and to their successors all goods chattels and personal property whatsoever : And also to hold all such lands hereditaments and possessions as may be transferred to and vested in them as a site for an Hospital or for any other purposes in connection therewith and also to do all other matters and things incidental to or appertaining to a corporate body subject nevertheless to any provisions in this Ordinance contained affecting such powers.

Trustees to hold office *ex officio*.

3. Each of the above-named trustees shall continue to be a trustee of the said Hospital only so long as he shall continue to hold the said appointments of Mayor of Invercargill Resident Magistrate and Collector of Her Majesty's Customs respectively and immediately upon his ceasing to hold such appointment as aforesaid he shall cease to be a trustee of the said Hospital and his successor in such appointment as aforesaid shall by virtue thereof become a trustee of the said Hospital and continue so to be so long as he shall hold such appointment in like manner.

Superintendent may appoint trustees.

4. It shall be lawful for the Superintendent of the Province of Otago to appoint by proclamation in the Otago Provincial Government *Gazette* in addition to the trustees above-named two other persons to be members of the said trust and so often as any person so appointed shall die resign become incapable to act or be removed suspended or absent from the said Province for the space of six consecutive calendar months it shall be the duty of the said Superintendent to appoint by proclamation in the Otago Provincial Government *Gazette* either permanently or temporarily as occasion may require another or other fit and proper person or persons to be a trustee or trustees in the room or stead of the trustee or trustees so dying resigning becoming incapable to act or being absent as aforesaid.

Land in Schedules vested in trust.

5. The said parcels of land described in the Schedule hereto shall be transferred to and vested in and held by the "Trustees of the Invercargill Hospital" and their successors in trust for the purposes of an Hospital subject to the powers provisions and conditions herein expressed and declared.

Superintendent authorised to convey.

6. It shall be lawful for the Superintendent to execute and make any conveyance or other assurance for transferring to and vesting in the "Trustees of the Invercargill Hospital" and their successors the lands described in the said Schedule hereto and every or any part or parts thereof respectively.

Land vested in trustees upon trust.

7. The said parcels of land shall be held by the said trustees upon trust for the purposes of a Public Hospital.

Trustees may lease surplus land.

8. It shall be lawful for the trustees by deed under their corporate seal to lease from time to time at such rent and on such conditions as they may think reasonable the whole or any part of the said parcels of land specified

in the said Schedule hereto not required for the purposes of an Hospital for any term or terms of years not exceeding seven years at any one time and the rents issues and profits thereof shall be held by the said trustees upon trust to expend the same for the benefit of the Hospital as they shall think fit.

9. The trustees shall keep accurate accounts of all sums of money received for rents issues and profits on account of the said parcel of land and of all costs charges expenses and disbursements and on the thirty-first day of March in every year or within one week thereafter the trustees shall prepare accounts and a balance sheet showing the receipts and disbursements of the trustees during the previous year and the actual financial state of the "Trust" on the thirty-first day of March in that year and such accounts and balance sheet shall be forwarded in duplicate to the Superintendent who shall cause the same to be forwarded for examination by the Provincial Auditor in manner described by the "Provincial Audit Act 1866" and the Provincial Auditor is hereby required and empowered to examine and audit such accounts and balance sheet and such balance sheet shall be published in the *Government Gazette* of the Province immediately after the same shall have been audited.

SCHEDULE.

1st. All that piece or parcel of land in the Province of Otago containing by admeasurement one (1) acre one (1) rood and twenty seven (27) poles more or less: bounded on the north by a public road 500 links on the east by Dee street 284 links on the south by Gala street 500 links and on the west by Leven street 284 links.

2nd. All that parcel of land in the Province of Otago containing by admeasurement two (2) acres one (1) rood eleven (11) poles more or less, bounded towards the north by a Government Road 715 links towards the east by Hospital Reserve 284 links towards the south by Gala street 100 links again towards the east by Leven street 100 links again towards the south by Reserve for Public Gardens 579 links and towards the west by the Oreti Railway Reserve 386 links.

DUNEDIN, NEW ZEALAND:

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