

# Local Legislation Act 1926

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**An Act to confer certain powers on certain Public Bodies, and to validate certain transactions.**

**1 Short Title**

This Act may be cited as the Local Legislation Act 1926.

*County councils*

**2 Empowering Thames County Council to acquire land for recreation reserves**

(1) The Thames County Council is hereby empowered to take or to acquire by purchase or otherwise for a recreation reserve all or any of the lands hereinafter described, and to erect thereon such structures or improvements as it thinks fit, and for those purposes to raise a special loan under the Local Bodies Loans Act 1913, as if for a public work.

(2) The lands to which this section relates are particularly described as follows:

Firstly, all those pieces of land situated at Tapu, in the County of Thames, containing together 6 acres 1 rood 30 perches, more or less, being the block situated in Block XI of the Hastings Survey District called Waipatukahu 1B 2, as the same is shown on a plan deposited in the office of the Department of Lands and Survey at Auckland under No 23620.

Secondly, all that piece of land situated at Tapu aforesaid, containing 2 roods 19 perches, more or less, being the block situated in Block XI of the Hastings Survey District called Waipatukahu 1B 1, as the same is shown on the plan above referred to.

Thirdly, all that piece of land situated at Tapu aforesaid, containing 3 acres 1 rood 25 perches, more or less, being the block situated in Block XI of the Hastings Survey District called Waipatukahu No 1A, as the same is shown on the plan above referred to.

**3 Validating expenditure by Waitomo County Council of certain loan-moneys borrowed for workers' dwellings**

Whereas the Awakino County Council, pursuant to a special order duly made on 26 June 1920, raised a loan of 5,000 pounds from the Superintendent of the State Advances Office, and pursuant to a special order duly made on 22 January 1921, raised a loan of 1,000 pounds from the Public Trustee, both loans being for the purpose of erecting workers' dwellings:

And whereas on the abolition of the Awakino County and the constitution of a new county known as the Waitomo County by the Waikato and King-country Counties Act 1921–22, the said loans were transferred to the said Waitomo County Council:

And whereas portions of the said loans amounting to the sum of 330 pounds 3 shillings and 10 pence were expended in the erection of portable dwellings, and exception has been taken by the Audit Office to such expenditure on the ground that it is not in conformity with the purpose for which the loans were raised:

And whereas it is desired to validate such expenditure:

Be it therefore enacted as follows:

The expenditure by the Waitomo County Council in the erection of portable dwellings of any moneys borrowed as hereinbefore recited for the purpose of the erection of workers' dwellings is hereby validated.

**4 Authorizing Waimairi County Council to sell certain land by public auction or by private treaty**

Whereas by section 167 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1924, the Waimairi County Council is authorised to sell by public auction certain lands mentioned and described in the said section:

And whereas it is desirable to authorise the said Waimairi County Council to sell the said lands or any part thereof by private treaty if it thinks fit:

Be it therefore enacted as follows:

Section 167 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1924, is hereby amended by inserting in subsection (1), after the words "by public auction," the words "or by private contract, or partly by the one and partly by the other of such modes of sale".

**5 Authorizing Waitemata County Council to raise a loan for constructing waterworks, and constituting the Waikumete Water-race District**

Whereas the Waitemata County Council, pursuant to a poll held on 25 November 1925, was duly authorised by the ratepayers of the Waikumete Riding of

the said county to borrow, *inter alia*, a sum of 1,940 pounds for the provision of waterworks in the area hereinafter described:

And whereas it was intended to proceed under the powers conferred on the Council by the Water-supply Act 1908, but steps had not been taken prior to the poll aforesaid to constitute the said area a water-race district under the Water-supply Act 1908, and there is no authority to raise or apply for the purpose of providing a water-supply in the said area the moneys authorised to be raised by the said poll:

And whereas it is desirable to make provision as hereinafter set out:

Be it therefore enacted as follows:

- (1) On the constitution by the Waitemata County Council, under the provisions of the Water-supply Act 1908, of the said area, with or without modifications of the boundaries thereof, as a water-race district under that Act the Council may raise and apply in accordance with the determination of the said poll of rate-payers the sum of 1,940 pounds for the provision of waterworks for the water-race district so constituted, and the loan proposal and the said poll are, in respect of the sum of 1,940 pounds, hereby validated and declared to have been lawfully made and taken.
- (2) The area referred to in this section is particularly described as follows:

All that area in the North Auckland Land District situated in the County of Waitemata and bounded as follows: commencing at a point where the Whau Creek is intersected by the western boundary of New Lynn Town District as described in *Gazette*, 1910, page 1789; towards the west and south by aforesaid New Lynn Town District to the southern side of Great North Road; thence in a westerly direction along the south side of Great North Road aforesaid to the Glen Eden Town District boundary as described in *Gazette*, 1921, page 2550; thence towards the south-west by aforesaid Glen Eden Town District to the southernmost corner of Allotment 233, Parish of Waikomiti; thence towards the west by Allotment 233 aforesaid to and across a public road, and by Allotments 235 and 223, all of Parish of Waikomiti, to the Whau Creek; thence towards the north by Whau Creek aforesaid to the point of commencement: as the same is delineated on the plan marked IA 19/238/20, and deposited in the office of the Minister of Internal Affairs, at Wellington, and thereon edged red.

## **6 Empowering Whakatane County Council to reduce contribution of Galatea Riding towards general expenses of county**

Whereas there is no vehicular road access between the Galatea Riding of the Whakatane County and any other portion of the said county:

And whereas the said Galatea Riding does not benefit by money spent by the Whakatane County Council on roads in the said county which are outside the said Galatea Riding:

And whereas the amount collected by way of rates in the said Galatea Riding is greatly in excess of the amount expended therein:

And whereas it is desirable to authorise the said Whakatane County Council to levy in the said Galatea Riding a general rate to pay for expenditure on by-roads in the Galatea Riding and a reasonable sum towards the general expenses of the county:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Counties Act 1920, or any other Act, the action of the Whakatane County Council in reducing by special order the general rate levied by it over the county for the year ending on 31 March 1927, to the sum of 2 pence in the pound on the unimproved value of the rateable property in the Galatea Riding of the county is hereby validated and declared to have been lawfully taken.
- (2) Of the proceeds of such general rate in the Galatea Riding the said Council may by special order, and notwithstanding anything to the contrary in the Counties Act 1920, or any other Act, allocate such portion as it thinks fit, but not less than the sum of 100 pounds, for the purposes set out in paragraphs (a), (b), (c), and (d) of subsection (1) of section 131 of the Counties Act 1920, and the balance, whether received before or after the said 31 March 1927, for expenditure on works in the said Galatea Riding.

**7 Special provision with respect to payment of interest and sinking fund on loan of £4,200 by Amuri County Council**

Whereas the Amuri County Council has raised a loan of 4,200 pounds for the payment of the said Council's share of the cost of erecting a bridge over the Mason River near Waiau:

And whereas in terms of the Local Bodies Loans Act 1913, the said Council has pledged as security for the said loan a special rate over a special-rating area known as the Lyndon Area:

And whereas it is proposed by the said Council to pay a proportion of the interest and sinking-fund charges in respect of the said loan out of the County Fund of the Amuri County, and the remainder out of the proceeds of the said special rate:

Be it therefore enacted as follows:

Notwithstanding anything to the contrary in the Local Bodies Loans Act 1913, or in any other Act, the said Council is hereby empowered to pay out of the County Fund of the Amuri County so much of the interest and sinking-fund charges from time to time due on the said loan of 4,200 pounds as it considers equitable, and to reduce the amount to be raised by way of special rate over the said special-rating area accordingly.

**8 Empowering Hutt County Council to pay £500 to Plimmerton Bowling, Croquet, and Tennis Club**

Whereas James Gray, formerly of Plimmerton, near Wellington, by his last will and testament, dated 19 August 1925, and duly admitted to probate by the High Court, bequeathed to the Hutt County Council the sum of 500 pounds, to be applied by such Council in and towards a bowling, tennis, and croquet ground at Plimmerton in the Hutt County:

And whereas at the time of the execution of the said will the Plimmerton Bowling, Croquet, and Tennis Club (Incorporated) was in existence, and was providing public facilities for bowling, croquet, and tennis at Plimmerton:

And whereas it is deemed expedient that the aforesaid sum of 500 pounds should be expended on extending and completing the grounds of the said club rather than upon the establishment of other bowling, croquet, and tennis grounds:

And whereas all parties interested under the said will are desirous of the said sum of 500 pounds being expended on the work of extending and completing the grounds of the said club, and it appearing that the real intention of the said James Gray was that the said sum of 500 pounds should be so expended:

Be it therefore enacted as follows:

Notwithstanding anything to the contrary in any Act or in any rule of law, it shall be lawful for the Hutt County Council to pay to the Plimmerton Bowling, Croquet, and Tennis Club (Incorporated) for the purposes aforesaid the said sum of 500 pounds, and the receipt of the Plimmerton Bowling, Croquet, and Tennis Club (Incorporated) for that sum shall be a sufficient discharge to the said Council for the application of the said sum in accordance with the terms of the will of the said James Gray.

Section 8: amended, on 1 April 1980, pursuant to section 12 of the Judicature Amendment Act 1979 (1979 No 124).

**9 Authorizing Wairarapa South County Council to raise loans for purchase of land, and validating certain interest payments**

Whereas by a certain petition Herman Nitz, of Kaiwhata, near Masterton, farmer; Edgar Leonard Nitz, of Kaiwhata, farmer; Lucy Martin Nitz, wife of the said Herman Nitz, of Kaiwhata, farmer; Paul Henry William Kummer, of Kaiwhata, farmer; Walter Norman Kummer, of Kaiwhata, farmer; John Bannister, of Kaiwhata, farmer; and Francis Charles Bunny, of Greytown, farmer, and Clark Cecilia Tatham, of Homewood, near Masterton, widow (trustees of the estate of John Harding Tatham, deceased), requested the Council of the County of Wairarapa South to acquire certain land for the purpose of a new road to the Kaiwhata Landing, and such petition contained a request to constitute the land

mentioned in the Schedule as a special-rating area in order to pay for such road:

And whereas in pursuance of the request contained in such petition the said Council acquired for the purposes of a road, under the provisions of the Public Works Act 1908, certain land owned by one Charles Archibald Cameron, for which the Council was adjudged to pay him the sum of 800 pounds and costs:

And whereas such road had to be fenced, and it was agreed that the Council should pay to Charles Archibald Cameron the sum of 600 pounds for such purpose, and that interest should be paid by the Council on both the said sums of 800 pounds and 600 pounds:

And whereas the Council has paid in the past and is liable to pay in the future certain sums by way of interest as aforesaid, and doubts have arisen as to the Council's authority to make such payments:

And whereas it has been found that the said petition was not prepared in accordance with the law, and in order to meet the situation that has arisen it is desired to make provision as hereinafter set out:

Be it therefore enacted as follows:

- (1) All payments of interest as aforesaid heretofore made by the said Council are hereby validated, and the Council may continue to pay such interest pursuant to such agreement as aforesaid until the amount owing by the Council has been raised as hereinafter set out and paid to Charles Archibald Cameron.
- (2) The said Council is hereby authorised to borrow by way of special loan under the Local Bodies Loans Act 1913, as if for a public work, but without taking the steps described in sections 8 to 12 of that Act, a sum of 1,100 pounds on the security of a special rate over all rateable property within the area hereinafter described, which is hereby declared to be a special-rating area for that purpose, such sum to be applied to the payment of the purchase-money for the said land and of half cost of the fencing as aforesaid.
- (3) The said Council is also hereby authorised to borrow by way of special loan as aforesaid, but on the security of a special rate over all rateable property in the said county, a sum sufficient to meet the other half cost of fencing, the interest payments made and to be made by the Council as aforesaid, and all other costs and charges incurred by the Council in connection with the said Kaiwhata Landing Road.
- (4) The special-rating area referred to in subsection (2) is particularly described as follows:

All that area in the Wellington Land District bounded by a line commencing at a point in the middle of the Kaiwhata River in line with the eastern boundary of Section 153, Block V, Kaiwhata Survey District; thence to and along that boundary and along the south-eastern and south-western boundaries of the land shown on plan 4281, deposited in the office of the District Land Registrar, at Wellington, to the easternmost corner of the land shown on plan 2923, depos-

ited as aforesaid; thence along the southern boundaries generally of the land shown on plan 2923 aforesaid to the northern boundary of Section 165, Block VI, Kaiwhata Survey District; thence along the northern and western boundaries of the said Section 165 to the south-eastern corner of that part of Section 297, Block VI, Kaiwhata Survey District, containing 330 acres; thence westerly along the southern boundaries of the said part Section 297 to the south-eastern corner of Section 1, Block IV, Kaiwhata Survey District; thence along the southern boundaries of Sections 1 and 2, Block IV aforesaid, to the road forming the eastern boundary of Section 6, Block VI, Kaiwhata Survey District; thence along that road to the south-eastern corner of Section 6 aforesaid; thence along the southern and western boundaries of the said Section 6, the western boundaries of Sections 3 and 4, Block IV aforesaid, and the western boundaries of Small Grazing-run 50, Block IV aforesaid, to the southernmost corner of Small Grazing-run 48; thence along the southern, western, and northern boundaries of the said Small Grazing-run 48 to the north-western boundary of Small Grazing-run 50; thence along the north-western boundaries of Small Grazing-run 50 and the northern and eastern boundaries of Section 9, Block IV, Kaiwhata Survey District, to the south-eastern corner of the last-mentioned section; thence along the eastern boundaries of Sections 7 and 5, Block IV aforesaid, to the Kaiwhata River; and thence to and down the middle of the Kaiwhata River to the point of commencement.

*City and borough councils*

**10 Validating raising of loan by Levin Borough Council for erection of shops and offices**

Whereas the Levin Borough Council raised a loan of 24,000 pounds pursuant to a proposal carried by the ratepayers of the Borough of Levin on 16 May 1923, for the purpose of erecting municipal buildings:

And whereas the said Council raised a supplementary loan of 2,400 pounds pursuant to section 18 of the Local Bodies Loans Act 1913, for the said purpose:

And whereas the said Council raised a further loan of 3,000 pounds pursuant to a proposal carried by the ratepayers of the said borough, on 14 October 1925, for the completion of the erection of the said municipal buildings and other matters incidental thereto:

And whereas as part of the scheme for the erection of the said municipal buildings the said Council proposed to erect shops and offices for the purpose of letting the same, and such shops and offices have been duly erected:

And whereas doubts have arisen as to the power of the said Council to raise and expend loan-moneys in the erection of shops and offices:

Be it therefore enacted as follows:

Notwithstanding anything to the contrary in any Act, the Levin Borough Council shall be deemed to have been lawfully empowered to borrow all such moneys as aforesaid and to expend any part thereof in the erection of shops and offices for the purpose of letting the same.

**11 Validating loan of £5,000 by Thames Borough Council for Waiotahi Quarry purposes**

Whereas on 28 September 1925, the Thames Borough Council caused a poll of the ratepayers of the Borough of Thames to be taken on a proposal to borrow by way of special loan (under the name of Thames Quarry Loan No 2) under the provisions of the Local Bodies Loans Act 1913, a sum of 5,000 pounds for the following purposes—namely, to complete and fully establish the Waiotahi Quarry and construction of tramways in connection therewith, and to provide and install suitable plant and machinery in connection with such quarry and tramways, and to repay to its District Fund Account moneys amounting to 1,803 pounds 3 shillings and 9 pence already advanced thereout for the establishment and equipment of the said quarry and tramways:

And whereas such proposal was declared to be duly carried, but doubts have arisen as to the validity of such poll and as to the powers and authority of the Thames Borough Council to repay to the District Fund Account out of the said loan the moneys already advanced as aforesaid:

Be it therefore enacted as follows:

The said poll is hereby validated and declared to have been lawfully taken, and in pursuance of the authority thereof the Thames Borough Council may refund to its District Fund Account, out of the proceeds of the said loan of 5,000 pounds, an amount not exceeding 1,803 pounds 3 shillings and 9 pence in respect of moneys advanced from that account as aforesaid.

**12 Authorizing Hamilton Borough Council to refund certain license fees paid in excess**

Whereas the Hamilton Borough Council did on 1 February 1925, by section 93 of the Hamilton Borough By-law No 5, provide that certain fees should be paid in respect of licenses granted by the Council for premises to be used for the sale of butchers' meat or poultry, and also for the purpose of boning, curing, canning, salting, mincing, or other similar process of preparing meat or fat for sale for human consumption:

And whereas by an order of the High Court of New Zealand (Hamilton District), dated 24 March 1926, the said section 93 was amended, and a reduced fee was substituted for the fees originally prescribed thereby, but certain persons have in the meantime paid fees in excess of the amount of the said reduced fee:

And whereas there is no authority of law to enable the Hamilton Borough Council to make a refund of the amount of fees so paid in excess, and it is desired to confer such authority:

Be it therefore enacted as follows:

The Hamilton Borough Council, on application by any person holding a license granted by the Council for premises to be used as before mentioned, and on being satisfied that the licensee has paid license fees in excess of the amount for which he was properly liable or would have been liable if the present license fee had been in force as from the coming into force of the above-mentioned by-law, may refund to the licensee the amount so paid in excess.

Section 12: amended, on 1 April 1980, pursuant to section 12 of the Judicature Amendment Act 1979 (1979 No 124).

**13 Authorizing Hastings Borough Council to utilise unexpended balance of loan of £49,000**

Whereas the Hastings Borough Council, being duly authorised by a poll of ratepayers taken on 2 July 1924, raised a loan of 49,000 pounds under the Local Bodies Loans Act 1913, for undertaking certain works in the Borough of Hastings, a portion of such loan—namely, 22,330 pounds—being specifically allocated for expenditure on bitumen road-surfacing in portions of the following streets: Karamu Road (from Victoria Street to boundary), Heretaunga Street (from Tomoana Road to boundary), Havelock Road (from Park Road to Norton Road), Karamu Road (from Eastbourne Street to Southampton Street), Warren Street (from Eastbourne Street to Queen Street), King Street (from Eastbourne Street to Queen Street), Market Street (from Eastbourne Street to the race-course):

And whereas those works have been completed for less than that sum, and it is desirable to authorise the said Council to expend the surplus in further bitumen road-surfacing works in the said borough:

Be it therefore enacted as follows:

Notwithstanding anything to the contrary in the Local Bodies Loans Act 1913, or in any other Act, it shall be lawful for the Hastings Borough Council to expend any surplus of the said sum of 22,330 pounds not required for the purposes for which the said sum was allocated in constructing bitumen road-surfacing in such other portions of the said borough as the Council thinks fit.

**14 Authorizing the Waipukurau Borough Council to raise a further loan in connection with its Municipal Theatre, and validating certain acts of the Council**

Whereas the Waipukurau Borough Council raised a loan of 14,000 pounds pursuant to a proposal carried by the ratepayers of the said borough on 26 April

1923, for the purchase of land and the erection and equipping of a Municipal Theatre and shops:

And whereas the said Council raised a further loan of 2,500 pounds for additional work in the erection and equipping of a Municipal Theatre and shops pursuant to a further proposal carried by the said ratepayers on 17 January 1924:

And whereas the said Council believed that it was entitled, under section 18 of the Local Bodies Loans Act 1913, to raise 2 further loans of 10 per centum of each of the said loans raised as aforesaid, but a declaratory judgment of the High Court was made to the effect that the Council had not power under the said section to raise an additional 10 per centum of either of the said loans:

And whereas the said Council in the belief aforesaid overdraw its loan accounts kept in connection with the said loans of 14,000 pounds and 2,500 pounds to the extent of 1,650 pounds, which amount is now owing to the said Council's General Account:

And whereas doubts have arisen as to the power of the said Council to raise and expend loan-moneys in the erection of shops:

And whereas it is expedient to give to the said Council power to raise a further loan as hereinafter provided, and to validate the acts of the said Council in overdrawing its loan accounts and in raising and expending loan-moneys in the erection of shops:

Be it therefore enacted as follows:

- (1) The Council may by way of special loan under the provisions of the Local Bodies Loans Act 1913, but without taking the steps described in sections 8 to 12 of that Act, borrow the sum of 1,650 pounds, and may pay the same to its General Account.
- (2) The said Council shall make a special rate on all rateable property in the said borough as security for the interest and other charges in respect of the said loan of 1,650 pounds, and such special rate may be levied as part of the special rates made and levied in respect of the said 2 original loans in the proportions which such loans bear to one another, or may be levied in addition to the said special rates.
- (3) The acts of the said Council in overdrawing its loan accounts for the sum of 1,650 pounds and in raising and expending loan-moneys in the erection of shops as respectively hereinbefore mentioned are hereby validated.

Section 14: amended, on 1 April 1980, pursuant to section 12 of the Judicature Amendment Act 1979 (1979 No 124).

## **15 Changing purposes of certain area of land vested in Lower Hutt Borough Council**

Subsection (4) of section 87 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1925, is hereby amended by omitting the

words “recreation purposes,” and substituting the words “a children’s playground”.

**16 Section 99, Reserves and Other Lands Disposal and Public Bodies Empowering Act 1925, amended**

Subsection (2) of section 99 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1925, is hereby amended, as from the date of the passing of that Act, by omitting the words “and bounded as follows,” and substituting the words “excepting out of the said Lot 2 all that piece or parcel of land bounded as follows”.

**17 Authorizing Christchurch City Council to pay a certain sum to Joseph McClelland**

Whereas in the year 1919 the Christchurch City Council agreed to grant to Joseph McClelland, of 85 Retreat Road, Christchurch, a permit to keep swine within the City of Christchurch on his making certain alterations to his premises:

And whereas such alterations were duly made, and thereupon such permit was granted:

And whereas a renewal of such permit was subsequently refused, and such alterations were thereby rendered useless:

And whereas it is desired to make a payment to the said Joseph McClelland in the nature of compensation for the loss sustained by him:

Be it therefore enacted as follows:

The Christchurch City Council is hereby authorised to pay to the said Joseph McClelland out of its General Account such sum, not exceeding 225 pounds, as may be agreed on between the said Council and the said Joseph McClelland by way of compensation for such refusal to renew such permit, and such payment shall be in satisfaction and extinction of the rights of action (if any) of the said Joseph McClelland against the said Council in respect of such refusal to renew such permit.

**18 Authorizing Christchurch City Council to contribute towards the Sir Arthur Pearson Memorial Fund**

It shall be lawful for the Christchurch City Council to contribute to the Sir Arthur Pearson Memorial Fund out of the General Account of its District Fund, before 1 April 1930, a sum or sums not exceeding in all 1,000 pounds.

**19 Validating payments by the Christchurch City Council towards construction of war memorial bridge**

Whereas the Christchurch City Council having in contemplation the demolition of a wooden bridge over the River Avon in the line of Cashel Street, in the City of Christchurch, and the erection of a new bridge to replace the said bridge, did

by deed dated 20 February 1923, and made between the Corporation of the City of Christchurch of the one part and the promoters of a war memorial under the designation of “The Bridge of Remembrance” of the other part, provide for the demolition and reconstruction of the said bridge in manner hereinafter appearing:

And whereas the said promoters had collected by means of public subscriptions and otherwise a fund for the purpose aforesaid, and had let a contract for the erection of the said bridge for the price of 16,078 pounds:

And whereas by the said deed the Corporation of the City of Christchurch contracted and agreed with the said promoters to pay the cost of the understructure of the said bridge—namely, the sum of 8,429 pounds—by 4 yearly instalments of 1,800 pounds each and the balance in the fifth year, and to pay interest at the rates and in manner set forth in the said deed on the balance found to be unpaid by it after the whole of the fund collected by the promoters as aforesaid should have been first expended:

And whereas during the course of construction extra works were ordered by the said Council to be carried out on the substructure of the said bridge, bringing the cost thereof to the sum of 9,065 pounds 5 shillings and 6 pence:

And whereas in pursuance of the said building contract the said understructure and extra works as well as the rest of the said Bridge of Remembrance have been completely built and finished in accordance with plans and specifications approved by the said Council, and the entire bridge is vested in the said Corporation for public use:

And whereas the said sum of 9,065 pounds 5 shillings and 6 pence has been duly paid to the said promoters, together with the sum of 90 pounds 18 shillings and 2 pence for interest at 5 per centum per annum, in accordance with the terms of the said deed:

And whereas doubts have arisen as to the legality of such payments, and it is deemed advisable to validate the same:

Be it therefore enacted as follows:

The payment of the said sums as aforesaid by the Christchurch City Council out of its District Fund is hereby validated and declared to have been lawfully made.

## **20 Validating payment of interest by Queenstown Borough Council on certain overdue accounts**

Whereas the Queenstown Borough Council being indebted to certain persons and firms in connection with its hydro-electric scheme was charged with, and duly paid, during the year ended 31 March 1926, interest on the several amounts owing by it, and it is desired to validate such payments:

Be it therefore enacted as follows:

The payments by the Queenstown Borough Council to Arthur Peachy Aldridge of an amount of 8 pounds 9 shillings, and 11 pence, to Turnbull and Jones (Limited) of an amount of 94 pounds 13 shillings and 6 pence, to Cossens and Black (Limited) of an amount of 13 pounds 17 shillings and 4 pence, and to the National Electrical and Engineering Company (Limited) of an amount of 5 pounds 11 shillings and 6 pence, making in all the sum of 122 pounds 12 shillings and 3 pence, in respect of interest on overdue accounts, are hereby validated and declared to have been lawfully made.

**21 Changing purpose of reservation of certain lands vested in Invercargill Borough Corporation, and declaring purpose for which other lands are so vested**

Whereas the land described in subsection (3) is vested in the Corporation of the Borough of Invercargill as a recreation reserve for the inhabitants of the Town of Invercargill, but by reason of the reclamation and setting-apart of adjacent lands as a site for dangerous-goods stores it is now not suitable for a recreation reserve, and is no longer required for that purpose:

And whereas the Invercargill Borough Council has purchased for the sum of 1,475 pounds the lands described in subsection (4):

And whereas it is expedient to change the purpose of the reservation over such first-mentioned land and to set apart for recreation purposes the lands purchased as aforesaid:

Be it therefore enacted as follows:

- (1) The reservation as a recreation reserve over the land described in subsection (3) is hereby cancelled, and the said land is hereby declared to be vested in the Corporation of the Borough of Invercargill as an endowment for the benefit of that borough freed and discharged from all trusts heretofore affecting it.
- (2) The lands described in subsection (4) are hereby declared to be vested in the said Corporation as scenic and recreation reserves for the enjoyment and use of the inhabitants of the said borough, and shall be deemed to be recreation reserves within the meaning of the Public Reserves and Domains Act 1908.
- (3) The land to which subsection (1) relates is particularly described as follows:  
All that piece or parcel of land, containing 14 acres 2 roods 8 perches, in Block LXXVII, Town of Invercargill, and Section 10, Block III, Invercargill Hundred, being Lots 18 and 19 on deposited plan No 2320 in the District Land Registry Office at Invercargill, and part of the land comprised in certificate of title, Volume 119, folio 217, in that office.
- (4) The lands to which subsection (2) relates are all those parcels of land, containing 47 acres 1 rood 35 perches, being that part of Section 11, Block IV, Invercargill Hundred, adjoining the existing Waihopai Scenic Reserve on the west, and being Lot 1 on a plan deposited in the District Land Registry Office at Invercargill as No 2485, and also that part of Section 26, Block I, Invercargill

Hundred, east of the said Waihopai Scenic Reserve, between the Waihopai River and Elles Road, containing 5 acres 2 roods 36 perches, and being Lot 2 on the said deposited plan No 2485.

**22 Cancellation of reservation over certain land, and authorizing Carterton Borough Council to transfer certain land to Wellington Education Board**

Whereas the land hereinafter described is vested in the Corporation of the Borough of Carterton in trust as a site for public buildings and for a recreation-ground or public gardens:

And whereas that land is suitable as a site for a public school:

And whereas, in order that the said land may be made available for such last-mentioned purpose, other land has been purchased by public subscription, and is now held by the said Corporation in trust as a site for public buildings and for a recreation-ground or public gardens:

And whereas it is desirable to authorise the Carterton Borough Council to transfer the first-mentioned land, less a portion required for street purposes, to the Education Board of the District of Wellington:

Be it therefore enacted as follows:

The reservation as a site for public buildings and for a recreation-ground or public gardens over all that parcel of land being part 1 of the section numbered 3 on the plan of the Township of Carterton, and being all the land comprised in certificate of title, Register-book, Volume 13, folio 169, Wellington Land Registry, is hereby cancelled, and the said land shall be disposed of as follows:

- (a) the Carterton Borough Council shall transfer to the Education Board of the District of Wellington, without payment of any consideration therefor, the whole of the land aforesaid with the exception of a strip of land along the western boundary thereof not exceeding 1 chain in width and 500 links in length.
- (b) the strip of land so excepted shall be proclaimed by the Council as a public street.

**23 Validating expenditure by Auckland City Council in respect of visit of Australian Squadron**

It shall be deemed to have been lawful for the Auckland City Council to expend out of its General Account in the District Fund any sum or sums of money, not exceeding in the aggregate the sum of 300 pounds, for the purpose of celebrating the visit of the Australian Squadron to Auckland during the month of March, 1926, and of welcoming, entertaining, and otherwise providing hospitality to the Commodore, officers, and men of the vessels during their visit to Auckland, or of contributing to any fund established for any of such purposes.

**24 Authorizing Otaki Borough Council to pay out of loan-moneys for plant, materials, and land acquired in connection with waterworks scheme, and also to recoup the District Fund Account**

Whereas the Otaki Borough Council has incurred a certain liability in connection with the extension of its waterworks scheme to an amount not exceeding 1,288 pounds and 3 pence for plant and materials acquired:

And whereas the said Council, in order to extinguish a further liability of 370 pounds, being the balance of purchase-money owing for land acquired by the said Council in connection with its waterworks scheme, paid that sum out of the Otaki Borough District Fund:

And whereas it is deemed expedient to empower the said Council to pay the amount not exceeding 1,288 pounds and 3 pence out of the Otaki Borough Waterworks Loan Account, and also to reimburse the Otaki Borough District Fund Account by transferring to that account the sum of 370 pounds from the Otaki Borough Waterworks Loan Account:

Be it therefore enacted as follows:

The Otaki Borough Council is hereby empowered to pay out of the Otaki Borough Waterworks Loan Account the said sum of 1,288 pounds and 3 pence, and is further empowered to transfer from the said Otaki Borough Waterworks Loan Account to the Otaki Borough District Fund Account the said sum of 370 pounds.

**25 Making special provision with respect to road leading to Dunedin City Council's hydro-electric works at Waipori**

Whereas the Corporation of the City of Dunedin is the owner of certain works, including a power-house, erected on the Waipori River and used by the Dunedin City Council (hereinafter called the **Council**) for the purpose of generating electricity by utilizing the waters of such river:

And whereas the Council constructed at its own expense the road hereinafter described, portions of which have not been legalized:

And whereas portions of the said road are on the banks of the said river, and are very narrow, and it is desirable in the interests of public safety and otherwise that the Council should have conferred on it certain powers in respect of the said road:

Be it therefore enacted as follows:

- (1) The Council shall have power in respect of the said road to do the following things, provided that such power shall not be exercised until all unlegalized portions of the said road have been legalized and vested in His Majesty as a public highway:
  - (a) to construct and repair the said road.
  - (b) to divert or alter the course of the said road or any part thereof.

- (c) to increase or diminish the width of the said road or any part thereof.
- (d) to stop the traffic on the said road or any part thereof during such period when for any reason it is considered desirable that the public traffic and passage should be stopped.
- (e) to make by-laws regulating, controlling, or prohibiting traffic on the said road or any part thereof, and prescribing payments in respect of such traffic:

provided that by-laws so made shall be subject to the provisions of subsection (4) of section 139 of the Public Works Act 1908.

- (f) to cause tolls to be collected on the said road or any part thereof, and for that purpose, with the consent of the Governor-General in Council, to do the following things:
    - (i) appoint and discharge collectors of tolls:
    - (ii) place on the said road tollhouses, gates, and bars:
    - (iii) fix from time to time the scale of tolls to be collected at any toll-gate upon all persons, cattle, or vehicles passing the same, and revoke or alter such scale; but no such toll shall be charged in respect of the persons, cattle, and vehicles mentioned in paragraphs (a), (b), (c), (e), (f), (g), and (h) of subsection (1) of section 158 of the Public Works Act 1908, or any person who is a ratepayer of the County of Tuapeka.
- (2) The road to which this section relates is particularly described as follows: That road in the Otago Land District commencing at a point in the Tuapeka County at the southernmost corner of Section 5, Block VIII, Waipori Survey District, and proceeding thence in a south-easterly direction generally along or adjacent to Waipori River, and terminating at a point in the Taieri County on the said river adjoining Section 45, Block II, Maungatua Survey District: as the same is more particularly delineated on the plan marked PWD 67008, deposited in the office of the Minister of Public Works, at Wellington, and thereon coloured red, and lettered AB.

**26 Authorizing Palmerston North Borough Council to purchase certain land and to transfer part thereof to Crown for agricultural-college purposes**

- (1) The Palmerston North Borough Council is hereby empowered to acquire all that piece or parcel of land, containing 43 acres 2 roods and 21 and three-tenths perches, more or less, being part of Section 203 of the Township of Fitzherbert, and being all the land comprised in certificate of title, Volume 179, folio 11, Wellington Land Registry, and for that purpose to raise a special loan, as if for a public work, under the Local Bodies Loans Act 1913.
- (2) The said land when so purchased shall be held by the said Corporation of the said borough in trust for the purposes of a public recreation-ground; but the Council may, without consideration, transfer to His Majesty for the purposes of

an agricultural college such part of that land as it thinks fit, and any part so transferred shall thereupon be held by His Majesty for the purposes of an agricultural college, freed and discharged from any reservation theretofore affecting it.

**27 Extending power of Westport Borough Council as to varying purposes of expenditure of loan of £3,000**

The authority conferred on the Westport Borough Council by section 115 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1925, is hereby extended to enable the said Council to utilise any additional sum, not exceeding 500 pounds (being portion of the unexpended balance of a loan of 3,000 pounds raised for the purpose of advances of moneys to ratepayers for private electric connections), for the purpose of completing the work for which the loan of 23,500 pounds mentioned in that section was raised.

**28 Validating contribution by Wellington City Council towards the Radium Fund of the Wellington Hospital**

The payment by the Wellington City Council on 4 June 1924, of the sum of 500 pounds by way of contribution to the Radium Fund established for the purpose of providing radium treatment and establishing a radium department at the Wellington Public Hospital is hereby validated.

**29 Authorizing Wanganui City Council to grant a lease to Wanganui Technical School Board**

*[Repealed]*

Section 29: repealed, on 5 December 1927, by section 17(5) of the Local Legislation Act 1927 (1927 No 58).

**30 Authorizing lease of certain land to Wanganui City Council**

Whereas in terms of the will of Henry Sarjeant, of Wanganui, gentleman, deceased, the piece or parcel of land hereinafter described is with other lands vested in the Corporation of the City of Wanganui (hereinafter referred to as the **Wanganui Corporation**) in trust to establish and maintain in the said city a Fine Arts Gallery:

And whereas the Wanganui Corporation, in terms of the said will, has established such Fine Arts Gallery:

And whereas the rents arising from the said piece or parcel of land, or such part thereof as is leased, have been applied by the Wanganui City Council for the maintenance of the Fine Arts Gallery so established:

And whereas the Wanganui Corporation is desirous of taking a lease of the said lands for the purposes of erecting thereon offices and showrooms to be used in connection with the gas undertaking of the said Corporation for the term and upon the conditions hereinafter appearing:

And whereas it is desirable that such lease should be granted for the purposes aforesaid:

Be it therefore enacted as follows:

- (1) The Wanganui Corporation, as trustees under the will of the said Henry Sargeant of, *inter alia*, the land hereinafter described, is hereby empowered to grant a lease of all that piece or parcel of land described in subsection (3) to the Wanganui Corporation for a term not exceeding 21 years, at a rental equivalent to 7 pounds per centum per annum on the capital value of the land at the time of the taking of the said lease, such rental to be payable half-yearly and to be applied for the purposes of maintaining the said Fine Arts Gallery.
- (2) The said lease shall contain covenants by the Wanganui Corporation—
  - (a) to pay all rates, taxes, and other outgoings payable in respect of the said lands; and
  - (b) to keep and yield up the premises in a good and substantial state of repair; and
  - (c) to insure the said premises;and shall also contain—
  - (d) a power of re-entry upon default being made in payment of the rent or the observance of the covenants and such default continuing for 30 days; and
  - (e) a provision that the Wanganui Corporation, its successors and assigns, may at any time prior to the expiration of the lease have a new lease for a further term not exceeding 21 years (including this present provision), at a rent to be fixed by valuation of the land only, without regarding the value of any buildings or other improvements thereon.
- (3) The land to which this section relates is particularly described as follows:

All that piece or parcel of land, containing by admeasurement 33 and six-tenths perches, and being part of Section 368, City of Wanganui, and bounded as follows: commencing at a point being the eastern corner of the said section; thence north-westerly by the north-eastern boundary of the said section for a distance of 50 links; thence south-westerly at a right angle by a straight line for a distance of 80.1 links; thence north-westerly at a right angle by a straight line for a distance of 50 links to the north-western boundary of the said section; thence south-westerly, south-easterly, and north-easterly by the boundaries of the said section to the starting-point.

### **31 Validating certain loan proceedings of the Wairoa Borough Council**

Whereas the ratepayers of the Borough of Wairoa, at a poll held under the Local Bodies Loans Act 1913, on 11 September 1924, duly carried a proposal of the Wairoa Borough Council to raise a special loan of 240 pounds, known as the Awatere Bridge Loan, being the proportion payable by the said Borough

Council towards the cost of erecting a bridge over the Awatere Stream, which stream is the boundary between the Wairoa County and the Wairoa Borough:

And whereas prior to the carrying of the said proposal and in anticipation of raising the loan the said Borough Council paid out of its General Account to the said Wairoa County Council its said proportion of the cost of the said bridge:

And whereas the said Borough Council, on 26 January 1925, raised the said loan of 240 pounds, and without lawful authority applied the proceeds thereof in refunding to its General Account the sum so paid to the Wairoa County Council:

And whereas it is expedient to validate the said loan and the said payment thereout:

Be it therefore enacted as follows:

Notwithstanding anything in the Local Bodies Loans Act 1913, or any other Act, the Wairoa Borough Council shall for all purposes be deemed to have been lawfully empowered to raise such loan as aforesaid and to pay the proceeds thereof to its General Account.

**32 Validating agreement between Wellington City Council and Wellington Hospital Board with respect to unemployment-relief works**

Whereas for the purpose of relieving unemployment in the City of Wellington the Wellington City Council has organised relief works:

And whereas certain men in need of relief are not, by reason of infirmity or other unfitness, entirely suitable for employment on the relief works available:

And whereas, in view of the fact that such men would have to be granted relief by the Wellington Hospital Board if no employment is found for them, an agreement was entered into between the Wellington City Council and the said Board that the Council should employ such men on the relief works, and that the difference between the value of the work done by them and the amount of wages paid them should be paid to the Council by the Board:

And whereas it is desired to validate such agreement, both as regards men already employed thereunder and those employed in the future during the continuance of the relief works:

Be it therefore enacted as follows:

The agreement made between the Wellington Hospital Board and the Wellington City Council as hereinbefore recited is hereby validated, and all moneys paid or to be paid thereunder during the financial year ending 31 March 1927, are hereby declared to have been lawfully paid or to be lawfully payable.

**33 Authorizing Gore Borough Council to obtain repayment of certain moneys paid to Public Trustee as Sinking Fund Commissioner**

Whereas the Gore Borough Council recently sold certain portions of its electrical plant which were no longer required for the purpose of its electrical scheme for the sum of 4,000 pounds, which sum was paid on 24 October 1925, to the Public Trustee as Commissioner of the sinking fund of a loan raised for the installation of the said scheme:

And whereas the said Council is now desirous of extending and improving its said electrical scheme within the said borough by expending all or part of the said sum of 4,000 pounds on such extensions and improvements:

And whereas it is expedient that the said Council should be empowered to withdraw from the said sinking fund all or such part of such sum of 4,000 pounds as the said Council may deem necessary for carrying out such extensions and improvements as aforesaid:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Local Bodies Loans Act 1913, or any other Act, the Public Trustee is hereby empowered, on receipt of a copy of a special order made by the Gore Borough Council, to repay to the said Council from the sinking fund the whole or part of the said sum of 4,000 pounds, as specified in the special order, and such sum shall be utilised by the said Council for such extensions and improvements of its electrical undertaking as are set out in the special order as if the said sum were an unexpended balance of the original loan for the expenditure of which statutory authority had been obtained.
- (2) It shall not be lawful for the said Council to expend moneys so received from the Public Trustee except for purposes set out in such special order.

**34 Authorizing the Green Island Borough Council by special order to declare certain private streets to be public streets**

Whereas the streets hereinafter described were, with the consent of the Green Island Borough Council at the times hereinafter mentioned, laid out as private streets within the Borough of Green Island:

And whereas the said private streets have been used by the public uninterruptedly as thoroughfares since the before-mentioned times, but they have never been properly formed and constructed:

And whereas the said Council is desirous that the said private streets should be declared public streets:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Municipal Corporations Act 1920, or any other Act, the Green Island Borough Council may, by special order, declare all or any of the said private streets, or any part or parts thereof,

to be public streets without requiring them to be properly formed and constructed by the owners thereof or the frontagers thereto.

- (2) The private streets to which this section relates are particularly described as follows:

Part of Brown Street, in the Borough of Green Island, shown on plan number 100, deposited in the Land Registry Office, at Dunedin, in the year 1876.

Part of Totness Street and part of Teignmouth Street, in the Borough of Green Island, shown on plan number 139, deposited in the Deeds Register Office, at Dunedin, in the year 1878.

Part of Teignmouth Street and part of Exeter Street, in the Borough of Green Island, shown on plan number 140, deposited in the Deeds Register Office, at Dunedin, in the year 1878.

Part of Exmouth Street (formerly called Kars Street) and part of Shipka Street, in the Borough of Green Island, shown on plan number 145, deposited in the Deeds Register Office, at Dunedin, in the year 1878.

Parts of Earl Street, King Street, Victoria Place, and Princes Street, in the Borough of Green Island, shown on plan number 97, deposited in the Land Registry Office, at Dunedin, in the year 1876.

George Street and Frederick Street, in the Borough of Green Island, shown on plan number 948, deposited in the Land Registry Office, at Dunedin, in the year 1891.

Mason Road, in the Borough of Green Island, shown on plan number 407, deposited in the Land Registry Office, at Dunedin, in the year 1882.

**35 Authorizing Auckland City Council to contribute towards erection of wharf near Cornwallis Park**

It shall be lawful for the Auckland City Council to pay to the Auckland Harbour Board the sum of 300 pounds as a contribution towards the cost of erecting a wharf in the Manukau Harbour upon or adjacent to the foreshore of the property vested in the Corporation of the City of Auckland and known as Cornwallis Park.

*Town boards*

**36 Onerahi Town Board authorised to fix water charges according to quantity consumed**

- (1) Notwithstanding anything in the Town Boards Act 1908, or any other Act, it shall be lawful for the Onerahi Town Board to make and levy water rates or charges in respect both of the ordinary as well as of any extraordinary supply according to the quantity of water consumed by any person receiving the same as measured by meter, at such rates or charges as may from time to time be fixed by any by-law of the Board in that behalf, or as may be agreed on with

any such person, and all water rates or charges so payable shall be deemed to be separate rates, and may be recovered accordingly.

- (2) This section shall be deemed to have come into force on 1 April 1925.

*Harbour boards*

**37 Authorizing Whakatane Harbour Board to expend on reclamation works unexpended balance of loan of £3,000**

Whereas the Whakatane Harbour Board (hereinafter referred to as the **Board**) was on 14 October 1922, duly authorised by the ratepayers of the Whakatane Harbour District to raise a loan of 3,000 pounds to be applied, as set out in the loan proposal, to certain engineering and survey work:

And whereas a sum not exceeding 1,100 pounds, part of the said loan, remains unexpended and is not required for the purpose for which it was raised:

And whereas it appears expedient to expend such unexpended sum on reclaiming from the Whakatane Harbour a portion of that area fronting Strand Street, Whakatane, and immediately adjoining the roadway on the north-eastern boundary of Lot 23, on deposited plan No 11959, of subdivision of Section 47, Town of Whakatane:

Be it therefore enacted as follows:

Notwithstanding anything to the contrary in the Local Bodies Loans Act 1913, or in any other Act, it shall be lawful for the Board to apply and expend the unexpended sum aforesaid for the purpose of reclaiming the area above mentioned and for any purpose incidental thereto.

**38 Authorizing Napier Harbour Board to grant a lease to Hawke's Bay Education Board**

- (1) The Napier Harbour Board is hereby empowered to grant a lease with a compulsory purchasing clause, and the Education Board of the District of Hawke's Bay is hereby empowered to accept such lease, of that piece of land, containing 4 acres and five-tenths of a perch, being part of Te Whare-o-maraenui Block, being all the land shown on deposited plan No 4634 in the Hawke's Bay Land Registry Office, at such rent and price, and upon such terms and conditions, as may be mutually agreed on.
- (2) Upon lodgement of a transfer from the said Harbour Board to the said Education Board of the said land the District Land Registrar for the Land Registration District of Hawke's Bay shall register the same and issue a title for the said land in the name of the said Education Board.

**39 Authorizing the Opunake Harbour Board to raise a 10-per-cent additional loan**

*[Repealed]*

Section 39: repealed, on 1 October 1938, by section 15 of the Opunake Harbour Act 1938 (1938 No 9 (L)).

**40 Applying to Gisborne Harbour Board provisions of Harbours Act as to hypothecation of debentures**

Whereas provision was made in the Gisborne Harbour Board Enabling Act 1919, for the hypothecation of debentures pending the raising of the loan authorised by that Act:

And whereas wider provision for the hypothecation of debentures by Harbour Boards was made in the Harbours Act 1923, and it is desired by the Gisborne Harbour Board to take advantage of such provision:

Be it therefore enacted as follows:

Section 25 of the Gisborne Harbour Board Enabling Act 1919, as amended by section 2 of the Gisborne Harbour Board Amendment Act 1920, is hereby repealed.

**41 Empowering Harbour Boards in Canterbury and Otago Provincial Districts to contribute to funds of Progress Leagues**

Section 59 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1918, is hereby amended by adding the following as subsection (3) thereof:

- (3) For the purposes of this section the term **local authority** includes a Harbour Board.

**42 Closing portion of river-bank road and vesting in Bay of Islands Harbour Board**

Whereas the Bay of Islands Harbour Board has erected a wharf and landing-shed on portion of the Waimate-Kerikeri Road abutting on the Kerikeri River:

And whereas it is expedient to vest the site of the said wharf and landing-shed as hereinafter more particularly described in the said Board:

And whereas the Bay of Islands County Council, being the local authority exercising jurisdiction over the road of which the said site of the said wharf and landing-shed forms part, has consented to the closing of the said portion of the said road and the vesting of the land comprised therein in the said Board:

Be it therefore enacted as follows:

- (1) Notwithstanding anything in section 130 of the Public Works Act 1908, the portion of the said river-bank road hereinafter more particularly described is hereby closed, and the land comprised therein is hereby vested in the Bay of Islands Harbour Board.

- (2) The area to which this section relates is more particularly described as follows:  
All that area in the North Auckland Land District, containing by admeasurement 6 perches, more or less, being portion of the Waimate-Kerikeri Road adjoining part of the land known as OLC 39, situate in Block XI of the Kerikeri Survey District: bounded commencing at the southern boundary of the said road at its confluence with the Kerikeri River; towards the south by portion of OLC 39, 59.8 links; towards the west and north by the said road, 85.1 links and 44.8 links respectively; and towards the east by the Kerikeri River to the point of commencement: be all the aforesaid linkages a little more or less: as the same is delineated on plan marked IA 19/73/120, and deposited in the office of the Minister of Internal Affairs, at Wellington.

#### 43 **Conferring special leasing-powers on Nelson Harbour Board**

Whereas the Nelson Harbour Board (hereinafter referred to as the **Board**) purchased from His Majesty the King, under the provisions of the Nelson Harbour Board Empowering Act 1917, the lands described in Schedule 1 to the said Act, and the said lands are now vested in the Board for an estate in fee-simple:

And whereas portions of the said lands were at the time of such purchase subject to various leases granted by His Majesty the King:

And whereas it is expedient to give to the Board power, in addition to the existing powers of leasing, to grant further and other leases of parts of the said lands not immediately required for harbour purposes, in the case of present or continuing tenancies, without public competition, and, in the case of parts of the said lands at present unoccupied by tenants, subject to public competition:

Be it therefore enacted as follows:

- (1) The Board may, without public auction or public tender, grant to the occupier of any part or parts of the lands described in Schedule 1 to the Nelson Harbour Board Empowering Act 1917, not immediately required for harbour purposes a lease or leases of such part or parts, for such term or terms, as the Board in each case thinks fit, with such one or more or perpetual rights of renewal, and at such annual ground-rental for the first of such terms, as the Board thinks fit, with provision for revaluation of such ground-rental during each renewal, and subject to such covenants, terms, and conditions as to improvements and otherwise as the Board thinks fit, including power for the Board to determine any such lease, or any renewal thereof, at any time if the Board requires the said land or any part thereof for harbour purposes; and upon any such determination, either as to the whole or part of the land comprised in any such lease, the provisions of section 135 of the Harbours Act 1923, shall apply as if the said land had been taken for the purposes of the Board pursuant to section 134 of that Act.
- (2) The powers hereinbefore conferred on the Board shall be in addition to and not in substitution for the powers of leasing conferred on the Board by the Harbours Act 1923, and the Public Bodies Leases Act 1908, or otherwise; and any

lease granted by the Board under this section may contain, in addition to the powers, covenants, and conditions hereinbefore mentioned, all or any of the powers, covenants, and conditions not inconsistent therewith set out or mentioned by or in the Harbours Act 1923, and the Public Bodies Leases Act 1908, or either of them.

*Electric-power boards*

**44 Authorizing Tauranga Electric-power Board to establish its offices outside the district**

Whereas it is provided in section 47 of the Electric-power Boards Act 1925, that an Electric-power Board may provide public offices within the electric-power district:

And whereas, owing to the scattered nature of the different parts of the Tauranga Electric-power District and the difficulties of access between them, it is expedient that the public offices of the said district be established in the Borough of Tauranga, which is not within the district:

Be it therefore enacted as follows:

The Tauranga Electric-power Board is hereby authorised to exercise within the Borough of Tauranga the powers conferred by section 47 of the Electric-power Boards Act 1925, as if the said borough were situated within the Tauranga Electric-power District, and shall be deemed to have been so authorised as from the date of the constitution of the Board.

**45 Conferring on South Taranaki Electric-power Board powers conferred on certain local authorities by Hawera County Electric Lighting Act 1902**

Whereas by section 16 of the Hawera County Electric Lighting Act 1902 (hereinafter called the **said Act**), the Hawera Borough Council, the Hawera County Council, the Normanby Town Board, and the Manaia Town Board, being the local authorities having jurisdiction within the area of supply defined by section 13 of the said Act, are empowered, at any time after the expiration of 25 years from 13 September 1902 (being the date of the coming into operation of the said Act), upon giving 6 months' previous notice in writing of their intention in that behalf to require the Hawera County Electric Company (Limited) (hereinafter called the **company**) to sell to such local authorities the undertaking of the said company upon certain terms defined in the said section 16:

And whereas the said area of supply is now included in the South Taranaki Electric-power District, constituted under the Electric-power Boards Act 1925, by a Proclamation dated 24 April 1925, and published in the *Gazette* of the 30th day of the same month:

And whereas the local authorities now having jurisdiction within the said area of supply are the Hawera Borough Council, the Hawera County Council, the

Waimate West County Council, the Normanby Town Board, and the Manaia Town Board:

And whereas it is expedient to enable the South Taranaki Electric-power Board (hereinafter called the **Board**) to purchase the undertaking of the said company:

Be it therefore enacted as follows:

- (1) The Board may at any time after 13 September 1927, upon giving 6 months' previous notice in writing of its intention in that behalf, require the company to sell to the Board the company's undertaking upon the terms defined by section 16 of the said Act as if the Board were named therein instead of the several local authorities therein mentioned as having jurisdiction in the area of supply.
- (2) The Board may purchase the undertaking of the company upon the said terms at any time before the said 13 September 1927, if the company agrees to such purchase.
- (3) Any agreement for sale and purchase entered into in pursuance of this section shall be subject to and conditional upon—
  - (a) The approval thereof under seal by the Hawera Borough Council, the Hawera County Council, the Waimate West County Council, the Normanby Town Board, and the Manaia Town Board:
  - (b) The authority of the Governor-General by Order in Council in terms of section 76 of the Electric-power Boards Act 1925:
  - (c) The issue to the said Board of a license under the Public Works Amendment Act 1911:
  - (d) The carrying of a poll taken on a proposal of the Board to borrow money for the purpose of acquiring the undertaking of the company, and the obtaining of all necessary consents to the raising of the said loan.
- (4) The said Board may from time to time, by way of special loan under the Local Bodies' Loans Act 1913, borrow such sum or sums of money as may be necessary for completing the purchase hereby authorised.
- (5) The said Board may after such purchase supply electric power from such purchased undertaking to consumers within its district and outer area.
- (6) In the event of the said Board not actually acquiring the undertaking of the company as hereby authorised within a period of 5 years from the date of the coming into operation of this Act, then and in such case the whole of the rights of the local authorities having jurisdiction within the said area of supply in terms of section 16 of the said Act shall remain intact as if this Act had not been passed, and the rights of the Board in relation thereto shall terminate.

**46 Authorizing the Wanganui-Rangitikei Electric-power Board to vary allocation of loan of £375,000**

Whereas the Wanganui-Rangitikei Electric-power Board was on 7 November 1923, duly authorised by the ratepayers of the Wanganui-Rangitikei Electric-power District to raise a loan of 375,000 pounds for certain purposes set out in the proposal submitted to the ratepayers:

And whereas the sum of 355,000 pounds is apportioned for all work incidental to distribution and the sum of 20,000 pounds for financing consumers for the installation of electrical equipment:

And whereas it is expedient that the said Wanganui-Rangitikei Electric-power Board should be authorised to apply the sum of 50,000 pounds of the loan of 375,000 pounds for the purpose of financing installations in lieu of 20,000 pounds as aforesaid:

Be it therefore enacted as follows:

Notwithstanding anything to the contrary in the Local Bodies' Loans Act 1913, or in any other Act, it shall be lawful for the Wanganui-Rangitikei Electric-power Board to expend from time to time any portions, not exceeding in all 50,000 pounds, of the sums borrowed in respect of the said loan of 375,000 pounds in such manner as the said Board may deem necessary for the purposes mentioned in sections 118 to 120 of the Electric-power Boards Act 1925.

**47 Authorizing the Cambridge Electric-power Board to refund a certain sum of money to the Cambridge Borough Council**

Whereas on 1 April 1920, the Cambridge Borough Council contributed out of its General Account the sum of 128 pounds 3 shillings and 3 pence by way of an advance towards the expenses incidental to the constitution and formation of the Cambridge Electric-power Board District and of the Cambridge Electric-power Board:

And whereas the said Power Board has no authority of law to refund the said sum to the said Borough Council, and it is expedient to confer such authority:

Be it therefore enacted as follows:

The Cambridge Electric-power Board may, out of its General Account, refund to the Cambridge Borough Council the said sum of 128 pounds 3 shillings and 3 pence.

**48 Special provision with respect to expenditure of loan of £200,000 by Waitemata Electric-power Board**

Whereas the Waitemata Electric-power Board (hereinafter termed the **Board**), pursuant to a poll taken on 29 April 1925, under the provisions of the Local Bodies Loans Act 1913, was authorised to raise and accordingly raised a loan of 200,000 pounds (hereinafter termed the **said loan**) for the purpose of purchasing and constructing electric works as defined in the Electric-power

Boards Act 1918, in order to supply electricity within the Waitemata Electric-power District:

And whereas since the date of the said poll the area of the Board's district has been extended by including therein the Borough of Devonport:

And whereas the Board desires to spend part of the said loan, not exceeding the sum of 15,000 pounds, for the purpose of supplying electricity within the said borough as hereinafter mentioned:

And whereas, in pursuance of section 118 of the Electric-power Boards Act 1925, the Board desires to apply a portion of the said loan for the purpose in the said section mentioned:

And whereas the Board, having been authorised by section 124 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1925, to establish its public offices in the City of Auckland, has purchased certain land in that city, and has erected thereon buildings to be used by the Board for its offices and general purposes:

And whereas the Borough of Devonport, not being within the Board's district when the said poll was taken, and the objects of the said loan not having been published in detail prior to the taking of the said poll, doubts have arisen as to whether the Board can lawfully apply any part of the said loan for any of the purposes aforesaid, and it is desirable that the Board should be authorised and empowered so to do:

Be it therefore enacted as follows:

- (1) It shall be lawful for the Board to expend part of the said loan, but not exceeding the sum of 15,000 pounds, for the purpose of making the alterations and additions necessary to enable alternating current to be used and metered in the Borough of Devonport, and for the purpose of altering the poles, wiring-system, and plant therein, and doing all other things of and incidental thereto and to the supply of electricity in the said Borough of Devonport.
- (2) It shall be and be deemed to have been lawful for the Board to apply part of the said loan for all or any of the purposes mentioned in section 118 of the Electric-power Boards Act 1925.
- (3) It shall be and be deemed to have been lawful for the Board to expend part of the said loan for the purpose of purchasing land in the City of Auckland and erecting thereon buildings and furnishing and equipping the same for the Board's public office.

#### **49 Special provision with respect to overdraft of Grey Electric-power Board**

Whereas the Grey Electric-power Board has commenced operations and it is found that owing to unavoidable delay in erecting lines and in connecting up

consumers' premises there will be insufficient revenue for the Board to meet its obligations during the first and second years of its operation:

And whereas it is expedient to authorise the Board to borrow further moneys, not exceeding 10,000 pounds, from its bankers by way of overdraft, or from any other person or persons, for revenue purposes:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Local Bodies Finance Act 1921–22, or in the Electric-power Boards Act 1925, or in any other Act, it shall be lawful for the Grey Electric-power Board, with the consent of the Minister of Public Works, to borrow moneys from its bankers by way of overdraft, or from any other person or persons, but so that neither at the end of the current financial year, nor at the end of the financial year ending on 31 March 1928, shall the amount owing under this section exceed the sum of 10,000 pounds.
- (2) In the third complete financial year after the said Board has commenced the supply of electrical energy—namely, in the financial year ending on 31 March 1929—and in every year thereafter, the powers of the said Board to borrow by way of bank overdraft or otherwise than under section 53 of the Electric-power Boards Act 1925, shall be limited to the powers conferred by paragraphs (c), (d), (e), (f), and (g) of subsection (1) and subsection (2) of section 70 of the Electric-power Boards Act 1925.

**50 Extending application of section 114 of Reserves and Other Lands Disposal and Public Bodies Empowering Act 1921–22**

Whereas by section 114 of the Reserves and Other Lands Disposal and Public Bodies Empowering Act 1921–22, the Southland Electric-power Board was empowered to expend, as therein provided, certain loan-moneys amounting in all to the sum of 1,500,000 pounds:

And whereas the Board has since raised a supplementary loan of 150,000 pounds, and doubts have arisen as to whether the said section 114 applies to that loan, and it is expedient to make it so apply:

And whereas the Board requires additional moneys for the purposes, *inter alia*, of enlarging its generating plant at Lake Monowai and erecting transmission and distribution lines:

And whereas it is desirable, in order to obviate the necessity of the Board's borrowing the full amount so required, to make provision as hereinafter appears:

Be it therefore enacted as follows:

- (1) The provisions of the said section 114 shall apply to the said supplementary loan of 150,000 pounds, as from the raising thereof, as if it were part of the said loan of 1,500,000 pounds, and it shall be lawful for the said Board to apply the proceeds thereof as provided in subsection (2) of the said section 114.
- (2) It shall be lawful for the said Board to apply, as provided in the said subsection (2) of the said section 114, any moneys received by it in respect of the sale of

any stores, plant, or material purchased out of the proceeds of either of such loans as aforesaid, and any moneys received by it in repayment of moneys advanced to consumers in respect of installations.

**51 Authorizing the Central Hawke's Bay Electric-power Board to purchase the Waipukurau Borough's installation out of a loan**

Whereas the Central Hawke's Bay Electric-power Board (hereinafter called the **Board**) was duly authorised by a poll of the ratepayers of the Central Hawke's Bay Electric-power District, taken on 3 October 1923, to raise a loan of 150,000 pounds, one of the purposes for which such loan was so authorised to be raised being stated as follows in the proposal submitted to the ratepayers, namely: "To establish, acquire, and carry out the following works and undertakings—To erect generating-works, construction of transmission and distributing lines, substations, purchasing and erection of all necessary equipment, motors, works, plant, machinery, roads, bridges, and approaches, together with tramways or other means of access and transit necessary for the construction or maintenance of the electric works, apparatus, motor-vehicles, and conveyances, lands, easements, and buildings, office furnishings, fittings, and requisites, and to provide for the cost of survey and other preliminary works and expenses of administration, and to generally exercise its rights and powers as may be deemed expedient by the Board under the authority of the Electric-power Boards Act 1918, and its amendments":

And whereas the sum of 125,000 pounds was allocated to the said purpose:

And whereas prior to the taking of the said poll the Board made it clearly known to the ratepayers of its said district that part of the said sum of 125,000 pounds was proposed to be expended by the Board in the purchase of certain land, buildings, and electrical machinery, plant, and fittings the property of the Corporation of the Borough of Waipukurau:

And whereas the Board has agreed with the Waipukurau Borough Council for the purchase from it of certain of its lands, buildings, and electrical machinery, plant, and fittings for the sum of 20,000 pounds, but doubts have arisen whether the purpose for which the said sum of 125,000 pounds was authorised to be raised includes such purchase:

And whereas under the said agreement for purchase the Board is to take over the liability of the said Corporation for a loan of 13,500 pounds raised by it from the Public Trustee, and to pay the balance of 6,500 pounds in cash:

And whereas it is expedient to make provision with respect to such purchase as hereinafter appears:

Be it therefore enacted as follows:

Notwithstanding anything contained in the Local Bodies Loans Act 1913, or any other Act, the Board may apply the said sum of 20,000 pounds, being part of the said sum of 125,000 pounds, towards the purchase of the aforesaid lands,

buildings, and electrical machinery, plant, and fittings in accordance with its agreement with the said Borough Council.

*Land drainage boards*

**52 Making provision with respect to overdraft of Hokio Drainage Board**

Whereas by Order in Council dated 22 June 1925, and published in the *Gazette* of the 25th day of the same month, the area described in the Schedule to that Order was constituted a district under and for the purposes of the Land Drainage Act 1908, to be known as the Hokio Drainage District:

And whereas, in order to meet certain preliminary expenditure and to carry out certain works which were urgently necessary, the Hokio Drainage Board (hereinafter referred to as the **Board**) has borrowed certain moneys by way of bank overdraft, and proposes in like manner to borrow additional moneys for such purposes:

And whereas the moneys so borrowed and proposed to be borrowed do not in all exceed the sum of 1,000 pounds:

And whereas there was not sufficient authority at law for borrowing certain of such moneys, and it is expedient to validate the same and to empower the Board to borrow additional moneys as aforesaid:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in any Act, the Board shall be deemed, with respect to moneys heretofore borrowed as aforesaid, to have been lawfully empowered to borrow all such moneys; and may, for such purposes as aforesaid, borrow by way of bank overdraft, not later than 31 March 1927, such additional moneys as may be necessary for the purposes aforesaid, but so that the total amount outstanding on that date in respect of all moneys borrowed under the authority of this section, whether before or after the passing of this Act, will not exceed the sum of 1,000 pounds.
- (2) Save as provided in subsection (5), the principal sum owing by the Board on the said 31 March 1927, in respect of all moneys borrowed as aforesaid up to that date shall be repaid by 7 equal payments out of its revenue, one such payment to be made in each year of the period of 7 years commencing on 1 April 1927, and ending on 31 March 1934.
- (3) For the purpose of providing the whole or any part of any such payment the Board may, by resolution, make and levy a special rate. Such special rate shall be a rate over all rateable property in the Board's district.
- (4) All interest and any other charges in respect of any part of such principal sum for the time being outstanding shall be paid by the Board out of its ordinary revenue and not out of the proceeds of such special rate.
- (5) The Board, instead of repaying such principal sum in the manner provided by subsection (2), may borrow, by way of special loan under the Local Bodies

Loans Act 1913, in the same manner as for a public work, but without taking the steps described in sections 8 to 12 of that Act, an amount sufficient to repay such sum or any part thereof for the time being outstanding, and shall apply the proceeds of such loan towards such repayment.

- (6) Moneys borrowed under the authority of subsection (1), whether before or after the passing of this Act, shall not at any time be taken into account in computing for the purposes of section 3 of the Local Bodies Finance Act 1921–22, the maximum amount that may lawfully be borrowed by the Board, or the amount that it may owe at the end of any year on its general or any separate account.

**53 Making special provision to enable carrying-out of works in connection with Hokio Stream by Hokio Drainage Board and other local authorities**

*[Repealed]*

Section 53: repealed, on 25 October 1956, by section 18(12)(d) of the Reserves and Other Lands Disposal Act 1956 (1956 No 53).

**54 Authorizing Orton Drainage Board to pay certain moneys out of proceeds of certain loans**

Whereas for the protection and development of certain lands in the locality of Orton, in the Auckland Land District, steps were taken in connection with the constitution of a drainage district under the Land Drainage Act 1908:

And whereas with a view to expediting the construction of drainage-works which were urgently necessary certain settlers in that locality purchased a dredge for the use of the Drainage Board of the proposed district:

And whereas a drainage district was afterwards duly constituted under the Land Drainage Act 1908, by name the Orton Drainage District, and in anticipation of a loan being raised the Board thereof agreed to purchase the dredge aforesaid from the said settlers at a price which precluded the said settlers from making a profit out of that transaction:

And whereas certain of the said settlers were, and are now, members of the Orton Drainage Board:

And whereas the said Board on 11 March 1924, obtained the requisite consent in writing of the ratepayers in the Orton Drainage District to borrow by way of special loan under the provisions of the Local Bodies Loans Act 1913, 2 sums of 3,000 pounds each, for the purpose, *inter alia*, of purchasing a dredge and doing certain drainage-works in the said district:

And whereas the said Board obtained engineers' reports regarding a drainage scheme, and incurred liabilities in connection therewith:

And whereas the said Board now owes the purchase price of the dredge, interest thereon, and various expenses in respect of the drainage scheme:

And whereas doubts have arisen as to the validity of such purchase, and as to the power and authority of the said Board to pay the aforesaid liabilities out of the aforesaid loans:

Be it therefore enacted as follows:

- (1) Notwithstanding anything to the contrary in the Land Drainage Act 1908, or any other Act, the purchase of the said dredge by the Orton Drainage Board is hereby validated, and the said Board may, pursuant to such consent as aforesaid, proceed to raise the said loans of 3,000 pounds each, and may, out of the proceeds thereof, pay the amount owing in respect of such purchase, with interest thereon according to such agreement as aforesaid, and the expenses incurred in respect of the drainage scheme.
- (2) Nothing in the Public Contracts and Local Bodies Contractors Act 1908, or any other Act, imposing disqualification or other penalties on members of any local authority or other public body for contracting with such local authority or public body shall apply to any member of the Orton Drainage Board in respect of any payment to him pursuant to this section.

*River boards and river trusts*

**55 Validating certain expenditure of loan-moneys by Kahutara River Board**

Whereas the ratepayers of the Kahutara River District did by a written consent dated 5 January 1922, consent to the raising of a special loan of 14,000 pounds under the Local Bodies Loans Act 1913, for the purpose of erecting stop-banks:

And whereas the Kahutara River Board did by resolution of 28 February 1922, resolve that such loan be raised for such purpose:

And whereas such loan has been duly raised, but part thereof has been expended by the Kahutara River Board during the period between 1 April 1924, and 31 March 1926, in the purchase of plant for carrying out such work, and in the payment of freight and other charges in connection therewith, being purposes not authorised by the said resolution:

And whereas it is considered equitable in the circumstances that such unauthorised payments out of the said loan should be validated, and that the Kahutara River Board be authorised to use such part as may be necessary of the said loan-moneys as remain unexpended in payment of further charges in connection with such plant:

Be it therefore enacted as follows:

- (1) The payment by the Kahutara River Board out of the said loan-moneys of the cost of plant and freight and other charges in connection therewith is hereby validated.

- (2) The said Board may pay out of the unexpended portion of such loan-moneys such further amounts as it deems necessary in connection with the maintenance and reconditioning of such plant.

**56 Vesting certain areas of Ashley River bed lands in the Rangiora Borough Council, the Rangiora County Council, the Ashley County Council, and the Northern Agricultural and Pastoral Association**

Whereas by subsection (1) of section 19 of the Ashley River Improvement Act 1925 (hereinafter referred to as the **said Act**), the bed of the Ashley River was, save as expressly provided therein, vested in the Ashley River Trust as an endowment:

And whereas previous to the passing of the said Act the local authorities hereinafter mentioned, and also the Northern Agricultural and Pastoral Association, incorporated under the Agricultural and Pastoral Societies Act 1908 (hereinafter called the **association**), had agreed that certain areas of the bed of the Ashley River should be vested in the Rangiora Borough Corporation, the Corporation of the County of Rangiora, the Corporation of the County of Ashley, and the association respectively, and the proposals with respect thereto had been approved by the Minister of Lands:

And whereas since the passing of the said Act it has become known to the said local authorities, the association, and the Ashley River Trust that all the said areas were by the said Act vested in the Ashley River Trust as an endowment:

And whereas at a conference of authorised representatives of all the said local authorities, the Ashley River Trust, and the association, held at Rangiora on 5 May 1926, it was unanimously agreed to consent to statutory authority being obtained to the vesting of the respective areas described in the Schedule, forming part of the bed of the Ashley River, in the said local authorities and in the association as hereinafter provided:

Be it therefore enacted as follows:

The vesting in the Ashley River Trust of all the areas described in the first column of the Schedule as endowments of that Trust is hereby cancelled, and each of those areas is hereby vested in the body corporate the name of which is set opposite the description of such area in the second column of that Schedule for the purposes set out in the third column thereof, subject to the right of the said Trust to carry out on any of such areas, other than the area lastly described, any of the works which it is authorised to carry out by section 15 of the Ashley River Improvement Act 1925, and for that purpose to enter upon any part of such area.

**57 Providing for unauthorised expenditure by Wanganui River Trust**

The Wanganui River Trust may in every financial year in the period ending not later than 31 March 1929, out of its General Fund, Account, or revenues, expend for purposes not authorised by any Act or law for the time being in force

any sum or sums not amounting in the whole to more than 50 pounds in any such year.

*Hospital boards*

**58 Validating certain expenditure of Otago Hospital Board**

The expenditure by the Otago Hospital Board during the financial year ended on 31 March 1926, of a sum not exceeding 100 pounds in connection with the entertainment of delegates to the Hospitals Conference held at Dunedin in the month of February, 1926, is hereby validated and declared to have been lawfully made.

*Road boards*

**59 Authorizing the Mount Wellington Road Board to change the purposes of the expenditure of certain loan-money**

Whereas on 28 November 1925, the Mount Wellington Road Board was duly authorised by a poll of the ratepayers of the Mount Wellington Road District to borrow by way of special loan under the Local Bodies Loans Act 1913, the sum of 34,600 pounds for the purpose of paving with concrete the Panmure-Otahuhu Road and the Ellerslie-Panmure Road, and constructing a footpath from Lake Road to Pit Road along the Ellerslie-Panmure Road and from Panama Road to Portgage Road along the Panmure-Otahuhu Road:

And whereas it is estimated that the said works will be completed at a less cost than the amount of the said loan:

And whereas the said Board is desirous of applying the unexpended balance in making further footpaths on the said roads and on another road in the said road district:

Be it therefore enacted as follows:

Notwithstanding anything to the contrary in the Local Bodies Loans Act 1913, or any other Act, the Mount Wellington Road Board is hereby authorised and empowered to spend the unexpended surplus of the said special loan, after completion of the works for which the same was raised, upon the curbing, channelling, forming, and surfacing of footpaths upon any other parts of the Ellerslie-Panmure Road and the Panmure-Otahuhu Road and upon Penrose Road in the said road district.

*Railway boards*

**60 Validating certain payments by Ohai Railway Board**

The following payments by the Ohai Railway Board are hereby validated, namely:

- (a) the sum of 100 pounds as a compassionate allowance to the widow of Joseph Fowler, a late employee of the Board:

- (b) the sum of 323 pounds and 1 penny, the expenses of the official opening of the extension of the Board's railway-line to Ohai.

*Education authorities*

**61 Validating expenditure by Board of Governors of Wellington College and Girls High School on a junior department of Wellington Girls' College**

Whereas there was maintained for some years at the Wellington Girls' College a junior department:

And whereas owing to difficulties of accommodation a loss was in the last years of its existence made on the working of the said junior department, and such loss was met by the Board of Governors of the Wellington College and Girls' High School out of moneys not lawfully available for that department:

And whereas the amount of the loss has been in part met out of other moneys and now stands at 1,327 pounds 17 shillings and 11 pence, and there are no further moneys available with which to liquidate it:

And whereas it is desired to validate the expenditure on the said junior department of the amount of the loss still outstanding:

Be it therefore enacted as follows:

The expenditure by the Board of Governors of the Wellington College and Girls' High School out of its ordinary revenue of the sum of 1,327 pounds 17 shillings and 11 pence on the former junior department of the Wellington Girls' College is hereby validated as if it had been expenditure for the purposes of the secondary department of the College.

*Fire boards*

**62 Authorizing Invercargill Fire Board to expend £25 in official opening of new station**

The Invercargill Fire Board is hereby empowered to spend out its funds a sum not exceeding the sum of 25 pounds in such manner as the Board thinks fit in connection with any function that the Board may hold in connection with the official opening of the new fire-brigade station at Invercargill.

*Affecting 2 or more classes of local authorities*

**63 Reducing contributions payable by local authorities under Wellington City and Suburban Highways Construction and Hutt Road Amendment Act 1924**

*[Repealed]*

Section 63: repealed, on 24 November 1927, by section 6 of the Wellington City and Suburban Highways Construction and Hutt Road Amendment Act 1927 (1927 No 16 (L)).

*Miscellaneous*

**64 Making provision for investment and application of certain moneys raised in Southland for Radium Fund**

*[Repealed]*

Section 64: repealed, on 27 November 1970, by section 28(2) of the Local Legislation Act 1970 (1970 No 124).

**65 Providing for inclusion of portion of Borough of Alexandra in Manuherikia Irrigation District**

Whereas the owners or occupiers of certain lands in the Borough of Alexandra desire to be included in the Manuherikia irrigation scheme authorised by Order in Council dated 24 January 1923, and published in the *Gazette* of the 25th day of that month:

And whereas it is expedient that the Minister of Public Works be authorised to supply water to the aforesaid lands for irrigation purposes:

Be it therefore enacted as follows:

- (1) Notwithstanding anything in any Act, the Governor-General may, by Order in Council issued under section 2 of the Public Works Amendment Act 1910, authorise the Minister of Public Works to construct and maintain waterworks within the area hereinafter described, and the provisions of the Public Works Act 1908, and its amendments relating to irrigation works shall extend and apply as if such land was not situated within a borough. No Order in Council in accordance with the provisions of this section shall be issued unless the Alexandra Borough Council consents to water-supply works being constructed and a supply of water given by the Minister of Public Works within the land hereinafter described.
- (2) The land to which this section relates is particularly described as follows:

All that area of land in the Otago Land District, comprising portion of the Town and Borough of Alexandra, commencing at a point on the bank of the Clutha River on the north-western boundary of the borough; thence easterly generally along the bank of the Clutha River to the south-eastern boundary of the Alexandra Town Belt; thence north-easterly along the aforesaid south-eastern boundary to the water-race reserve in the Borough of Alexandra; thence north-easterly generally along the said water-race reserve, Chicago Street, and Ngapara Street to the said Town Belt; thence south-easterly along the south-western boundary of the said Town Belt to Brandon Street; thence north-easterly along Brandon Street to the north-western boundary of the said Town Belt; thence north-westerly and south-westerly along the said Town Belt to the point of commencement.

**66 Empowering Taupo Totara Timber Company (Limited) to use for carriage of passengers locomotives greater than maximum statutory width**

Whereas the settlers served by the Taupo Totara Timber Company's tramway from Putaruru to Mokai have presented a petition to the Minister of Public Works praying that the company be authorised to carry passengers:

And whereas certain locomotives in use on such tramway exceed the maximum width which the Governor-General may allow for rolling-stock in accordance with the provisions of the Tramways Act 1908:

And whereas it is expedient that the company be authorised to utilise the existing locomotives in the carriage of passengers:

Be it therefore enacted as follows:

Notwithstanding anything to the contrary in the Tramways Act 1908, or any other Act, the Taupo Totara Timber Company (Limited), being the proprietor of a private tramway, may, on compliance with the provisions of section 214 of the Public Works Act 1908, and on receipt of a notice in writing from the Minister of Public Works pursuant to the provisions of that section, use its existing locomotives in connection with the carrying of passengers on its tramway from Putaruru to Mokai.

**Schedule**  
**Ashley River Trust endowment areas vested in certain bodies**  
**corporate**

<u>First Column</u>	<u>Second Column</u>	<u>Third Column</u>
<b>Description of area</b>	<b>Body Corporate in which vested</b>	<b>Purpose of vesting</b>
All that area in the Canterbury Land District, containing by admeasurement 18 acres 3 roods 26 perches, more or less, being Reserve No 4136, formerly part of Reserves 1921 and 1380, situated in Block VI, Rangiora Survey District, and bounded as follows: towards the south-west by Reserve 3503, 2310 links; towards the north-east by other part of Reserve 1921 and other part of Reserve 1380, 1241.4 links and 1804.9 links respectively; and towards the south-east by Reserve 3036, a total distance of 1661.0 links: be the aforesaid linkages a little more or less: as the same is more particularly delineated on the plan marked L and S 15/147, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.	Corporation of the Borough of Rangiora	Recreation reserve.
All that area in the Canterbury Land District, containing by admeasurement 3 acres and 25 perches, more or less, being part of Reserve 3503, situated in Block VI of the Rangiora Survey District, and bounded as follows: commencing at the south-east corner of Reserve 3503; thence in a north-westerly direction by the boundary-line between Reserve 3503 and Reserve 1921, a distance of 2310.0 links; again towards the north-west by a line bearing $310^{\circ}17'$ , 98.2 links; thence towards the south-east by a line bearing $166^{\circ}34'$ , 2725.1 links; and towards the north-east by a line bearing $76^{\circ}23'$ , 205.2 links, being the northern boundary of Reserve 3036, to the place of commencement: be all the aforesaid linkages a little more or less: as the same is more particularly delineated on the plan marked L and S 15/147A, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.	Corporation of the Borough of Rangiora	Recreation reserve.
All that area in the Canterbury Land District, containing by admeasurement 5 acres 3 roods 38 perches, more or less, being Reserve No 4139, formerly part of Reserve No 1380, situated in Block VI, Rangiora Survey District, and bounded as follows: commencing at a point on the north-west boundary of Reserve 1380, the same being	Corporation of the Borough of Rangiora	Gravel reserve.

<b>First Column</b>	<b>Second Column</b>	<b>Third Column</b>
<b>Description of area</b>	<b>Body Corporate in which vested</b>	<b>Purpose of vesting</b>
<p>distant 1004.2 links from the north-west corner of aforesaid Reserve 1380; thence in a north-easterly direction along the aforesaid north-west boundary of Reserve 1380, 1124.9 links; thence towards the south-east by a line bearing 169°49'25", 1203.2 links; and towards the north-west by a line bearing 310°17', 1562.1 links, to the point of commencement: be all the aforesaid linkages a little more or less: as the same is more particularly delineated on the plan marked L and S 15/147B, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.</p>	Corporation of the County of Rangiora	Plantation reserve.
<p>All that area in the Canterbury Land District, by admeasurement 10 acres and 18 perches, more or less, being Reserve No 4140, formerly part of Reserve 1380, situated in Block VI, Rangiora Survey District, and bounded as follows: commencing at a point on the north-west boundary of Reserve 1380, the same being distant 229.1 links from the north-west corner of aforesaid Reserve 1380; thence north-easterly by a line bearing 79°54', 1431 links; south-easterly 171°52', 713.4 links; south-westerly 259°54', 1405.6 links; and north-westerly by a line bearing 349°49'25", 713.4 links, to the point of commencement: be all the aforesaid linkages a little more or less: as the same is more particularly delineated on the plan marked L and S 15/147C, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.</p>	Corporation of the County of Rangiora	Plantation reserve.
<p>All that area in the Canterbury Land District, containing by admeasurement 1 acre and 1 perch, more or less, being Reserve 4143, formerly part of Reserve 1380, situated in Block VI, Rangiora Survey District, and bounded as follows: towards the north-west by Reserve 1921, 59 links; towards the north-east by part of aforesaid Reserve 1380, 1794.8 links; and towards the south-east by a road reserve, 57.1 links; and towards the south-west by the Christchurch-Amberley Railway, 1815.4 links; be all the aforesaid linkages a little more or less: as the same is more particularly delineated on the plan marked L and S 15/147D, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.</p>	Corporation of the County of Rangiora	Plantation reserve.

**First Column**

**Description of area**

All that area in the Canterbury Land District, containing by admeasurement 14 acres 2 roods 20 perches, more or less, being Reserve 4157, formerly part of Reserve 1380, situated in Block VI, Rangiora Survey District, and bounded as follows: commencing at a point on the northern boundary of Reserve 1380, the same being distant 159.1 links in an easterly direction from the intersection of the eastern side of the railway reserve with the northern boundary of said Reserve 1380; thence by a line bearing  $79^{\circ}54'$ , 907.4 links, being the boundary between Reserve 1380 aforesaid and Reserve 1921; thence by a line bearing  $171^{\circ}58'$ , 1527.7 links; thence south-westerly by the original bank of the Ashley River, now forming the northern boundary of a road reserve, and in a north-westerly direction by a line bearing  $351^{\circ}58'$ , 1736.8 links, to the point of commencement: be all the aforesaid linkages a little more or less: as the same is more Particularly delineated on the plan marked L and S 15/147E, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

All that area in the Canterbury Land District, containing and by admeasurement 6 acres 1 rood 22 perches, more or less, being Reserve 4137, formerly part of Reserves 1921 and 1380, situated in Block VI, Rangiora Survey District, and bounded as follows: commencing at a point on the north-west boundary of Reserve 1380, the same being distant 485.0 links from the north-west corner of aforesaid Reserve 1380; thence in a north-westerly direction by lines bearing  $310^{\circ}17'$ , 1241.4 links, and  $342^{\circ}55'$ , 370.9 links; thence in a south-easterly direction by a line bearing  $130^{\circ}17'$ , 3536.9 links; thence south-westerly by a line bearing  $262^{\circ}00'30''$ , 268 links; and again towards the north-west by a line bearing  $310^{\circ}17'$ , 1804.9 links, to the point of commencement: save and except therefrom an area 1 chain wide intersecting the above-described area: be all the aforesaid linkages a little more or less: as the same is delineated on the plan marked L and S 15/147F, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

Also all that area in the Canterbury Land District, containing by admeasurement 3

**Second Column**

**Body Corporate in which vested**

Corporation of the County of Rangiora

Corporation of the County of Ashley

**Third Column**

**Purpose of vesting**

Gravel-pit reserve.

Plantation and conservation reserve.

**First Column****Description of area**

acres 2 roods 24 perches, more or less, being Reserve 4138, formerly part of Reserves 1921 and 1380, situated in Block VI, Rangiora Survey District, and bounded as follows: commencing at a point on the north-west boundary of Reserve 1380, the same being distant 874.4 links from the north-west corner of aforesaid Reserve 1380; thence in a north-westerly direction by a line bearing  $313^{\circ}58'35''$ , 1959.4 links; thence north-westerly by a line bearing  $6^{\circ}22'$ , 126.1 links; thence south-westerly by lines bearing  $133^{\circ}50'$ , 2112.4 links;  $130^{\circ}17'$ , 1562.1 links; and  $169^{\circ}49'25''$ , 157.1 links: thence by a line bearing  $310^{\circ}17'$ , 1766 links, to the point of commencement: save and except therefrom an area 1 chain square intersecting the above-described area: be all the aforesaid linkages a little more or less: as the same is more particularly delineated on the plan marked L and S 15/147G, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

All that area in the Canterbury Land District, containing by admeasurement 14 acres 1 rood 20 perches, more or less, being Reserve 4141, formerly part of Reserves 1380 and 3036, situated in Block VI, Rangiora Survey District, and bounded as follows: commencing at a point being the intersection of the east side of Ashley Street with the southern side of Reserve 3036 aforesaid: thence in a north-westerly direction by a line bearing  $349^{\circ}49'25''$ , 901.9 links; north-easterly  $79^{\circ}54'$ , 1405.6 links; south-easterly  $171^{\circ}52'$ , 925.4 links, and  $170^{\circ}07'$ , 201 links; south-westerly  $266^{\circ}02'$ , 819.2 links; and north-westerly  $273^{\circ}46'$ , 573 links, to the point of commencement: be all the aforesaid linkages a little more or less: as the same is more particularly delineated on the plan marked L and S 15/147H, deposited in the Head Office, Department of Lands and Survey, at Wellington, and thereon bordered red.

**Second Column****Body Corporate in which vested**

Northern Agricultural and Pastoral Association (Incorporated)

**Third Column****Purpose of vesting**

An estate in fee-simple subject to the provisions of the Agricultural and Pastoral Societies Act 1908.