

New Zealand.



ANALYSIS.

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1883, No. 11.—*Local.*

Title.

AN ACT for placing Certain of the Auckland Hospital Reserves under the Administration of the Public Trustee, and to authorize the granting of extended Leases thereof.

[8th September, 1883.]

Preamble.

WHEREAS, under a Provincial Ordinance of Auckland, intituled "The Public Buildings Act, 1875," certain Commissioners were appointed for the purposes of the said Act, and under an Act of the General Assembly, intituled "The Auckland Public Buildings Act, 1876," five other Commissioners were appointed in the place of the Commissioners first aforesaid, and power was granted to the Governor in Council from time to time to appoint Commissioners in the case of any vacancy among any Commissioners for the time being in office:

And whereas, after the passing of the Act last named, the five Commissioners aforesaid vacated their offices, and the Governor in Council from time to time has appointed other Commissioners in their places, but the persons so appointed have been two in number instead of five, and it is expedient to validate all such appointments:

And whereas, under the Act hereinabove first named, certain lands described in the Schedule hereto were charged as a security for the repayment of a loan authorized by the said Act to be raised and applied towards the construction of a new hospital at Auckland, and provision was made for the creation, out of the rents and profits of such lands, of a sinking fund for the repayment of such loan, and accumulations of such rents and profits have arisen in surplus of the amount required to be paid into a sinking fund as aforesaid year by year, and it is expedient to release such surplus, to be applied as hereinafter mentioned:

And whereas the parcel of land first described in the Schedule hereto may be leased for a period not exceeding ninety-nine years under "The Supreme Court Site Leasing Act, 1875," of the former Province of Auckland:

And whereas the remainder of the aforesaid lands form part of certain lands described in Schedule A to an Act of the General Assembly, intituled "The Auckland Hospital and Grammar School Reserves Act, 1856," which, under the Act last named, were vested in the Superintendent of the former Province of Auckland, to be held as if granted to him as public reserves under "The Public Reserves Act, 1854," upon trust for the site of, or for an endowment for, or towards the maintenance and support of, a hospital:

And whereas, under a Provincial Ordinance, intituled "The Auckland Reserves Act, 1858," the Superintendent aforesaid was authorized to lease any of the last mentioned lands for a period not exceeding twenty-one years:

And whereas, under the operation of the Act of the General Assembly intituled "The Abolition of Provinces Act, 1875," all the lands aforesaid became vested in Her Majesty the Queen, and the powers of the aforesaid Superintendent in respect of the said lands became vested in the Governor:

And whereas it would benefit the trust for which the lands first aforesaid and described in the Schedule hereto were reserved if the administration of such trust were placed under the Public Trustee, and authority were granted to lease the said lands, or any of them, for uniform periods respectively:

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

1. The Short Title of this Act is "The Auckland Hospital Reserves Act, 1883." Short Title.

2. All appointments of Commissioners made from time to time by the Governor under the authority of the Act hereinabove secondly recited are hereby validated, and every act or thing performed or done by any such Commissioners shall be deemed to have been and shall be valid and of good effect: Appointment of Commissioners validated.

Provided that nothing in this Act contained shall be construed to validate any illegal act or thing performed or done by any such Commissioner by his own wilful default.

3. The lands described in the Schedule hereto, together with all proceeds therefrom, and all property and moneys belonging to such trust, are hereby placed in the Public Trust Office, and the administration of such lands shall be under the administration of the Public Trustee for the purposes of the aforesaid recited Acts. Hospital trust property placed in Public Trust Office.

The Commissioners appointed or holding office under the said recited Acts shall cease to hold such offices respectively on the passing of this Act.

4. The Public Trustee may grant, in manner and subject to the provisions of all Acts relating to the Public Trust Office, leases of any of the lands described in the Schedule hereto, for building purposes, for any term not exceeding sixty-three years, and for other than building purposes for any term not exceeding twenty-one years, with the Power to lease reserves by public auction for 63 years for building and 42 years for other purposes.

right of renewal for a second period not exceeding twenty-one years, subject to a new assessment of rent at such renewal.

Every such lease shall be disposed of at public auction, after public notice given of such sale by advertisement once a week during four consecutive weeks in some newspaper having general circulation in the Provincial District of Auckland.

Surplus rents, &c.,
to be appropriated
for use of Auckland
Hospital.

5. All amounts of rents and profits arising from the lands aforesaid which have heretofore accrued in surplus of the amount required, year by year, under "The Public Buildings Act, 1875," for the objects to which such fund is applicable, and all amounts of such rents and profits hereafter accruing in surplus as aforesaid, shall be applied year by year in and towards the general maintenance, repair, or enlargement of the Provincial Hospital at Auckland, in such manner as the Colonial Secretary shall direct from time to time.

When loan paid off
land to revert as
reserve for education
purposes.

6. So soon as the loan in respect whereof the lands aforesaid have been set apart as security has been paid off, and all debentures issued in respect of the said loan have been redeemed, the parcel of land in the Schedule firstly described shall revert as a reserve for education purposes, and shall be held by the Public Trustee for such purposes under the provisions of "The Supreme Court Site Leasing Act, 1875," aforesaid.

Repeal.

7. Sections three to eight, both inclusive, and section sixteen of "The Public Buildings Act, 1875," of the former Province of Auckland, and sections two to five, both inclusive, of "The Auckland Public Buildings Act, 1876," of the General Assembly, are hereby respectively repealed.

Schedule.

SCHEDULE.

HOSPITAL RESERVES.

City of Auckland.

1. ALL that parcel of land within the Provincial District of Auckland, in the Parish of Waitemata, in the County of Eden, and being Allotments Nos. 1, 2, 3, and part of Allotment No. 4 of Section No. 15 of the City of Auckland, containing 3 roods and 28 perches. Bounded towards the North by Victoria Street, 328 links; towards the East by Queen Street, 283 links; towards the South by Darby Street, 328 links; and towards the West by Elliott Street, 283 links.

2. Allotment No. 12 of Section No. 4, containing 1 rood 1 perch.

3. Allotment No. 16 of Section No. 7, containing 1 rood 37 perches.

4. Allotment No. 8 of Section No. 15, containing 1 rood 3 perches.

5. Allotments Nos. 7, 8, 9, and 10 of Section No. 9, containing 1 rood 36 perches.

6. The western portion of Allotment No. 17A of Section No. 4, containing 13 perches.

7. Allotment No. 1 of Section No. 31, containing 2 roods 16 perches, situated in Mechanics' Bay.

Suburbs of Auckland.

8. Allotment No. 21A of Section No. 11, containing 7 acres 1 rood.

9. Part of Allotment No. 13 of Section No. 12, containing 14 acres and 36 perches.

10. Allotment No. 7A of Section No. 12, containing 53 acres.

11. Allotment No. 17A of Section No. 12, containing 27 acres and 23 perches.

12. Allotment No. 14A of Section No. 12, containing 4 acres 1 rood.

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13. Allotment No. 24 of Section No. 6, containing 40 acres.
 14. Part of Section No. 98, containing 2 acres 2 roods 29 perches.
 15. Allotment No. 41 of Section No. 3, containing 12 acres; excepting such portion thereof as may be conveyed by law to Her Majesty the Queen for the purposes and subject to the provisions of "The Public Domains Act, 1860."
 16. Part of Allotment No. 1, Section 99, containing 3 acres and 6 perches

Parish of Takapuna.

17. Allotments Nos. 14, 15, 16, 17, and 20, containing 102 acres 1 rood 24 perches.

WELLINGTON: Printed under authority of the New Zealand Government
by GEORGE DINSBURY, Government Printer.—1883.