

We may remark that the whole legislation on this subject is obscure and defective. For example: Section 5 of the Act of 1894 (amending section 88 of the Act of 1878) is so badly drawn that we have had to recast it. (See sections 68 and 75 of the Consolidation Act.)

Section 111 of the Act of 1878 (providing for equality of rates in the case of foreign and British ships) is impliedly modified by subsequent legislation, and appropriate words are accordingly inserted in subsection (2) of section 96 of the Consolidation Act.

Section 12 of the Act of 1886, makes the therein-mentioned fine recoverable "with full costs of suit in any Court of competent jurisdiction." This suggests an action. We have substituted the summary provisions of the Justices of the Peace Act, which is the usual method of recovering fines. (See section 194 of the Consolidation Act.)

Sections 25 to 30 of the Act of 1886 deal with various local matters. As we cannot say whether the sections are spent or not, we have set them out in a schedule leaving them to such operation as they still have. (Section 227 and Sixth Schedule.)

The list of Harbour Boards in the Second Schedule has been brought up to date.

HOSPITALS AND CHARITABLE INSTITUTIONS.

The references to boroughs in the First Schedule to the Act of 1885 have been omitted as unnecessary and misleading. Section 3 of the Consolidation Act makes full provision. We have dropped so much of section 7 of the Act of 1885 (Representation on District Boards) as is repugnant to section 6 of the Act of 1886 (section 6 of the Consolidation Act).

Section 5 of the Act of 1885 (Boroughs deemed to be included in counties) is modified by excepting the Borough of Waihi (section 3 of the Consolidation Act). This is to give effect to "The Waihi Hospital District Act, 1902," which makes the Borough of Waihi a separate district.

Section 50 of the Act of 1885 (One-third of number of Trustees to retire annually) has been altered to meet cases where the total number cannot be divided by three (section 58 of the Consolidation Act).

"The Hospital Trustees Act, 1891" (Appointment of Commissioners where all the Trustees of a separate institution resign), says that the Commissioners are to be deemed to be the "Board of the district." This is obviously a mistake for "Trustees of the institution." Section 65 of the Consolidation Act makes the necessary correction.

The former legislation as to separate institutions was not quite clear. Section 56 of the Act of 1885 appears to contemplate that only institutions under the control of a Board can be incorporated as separate institutions. In practice, however, this limitation has not been observed, and the Act has been construed to authorise the incorporation of institutions that have never been under a Board. We have accepted the latter view, and the section referred to has been widened accordingly (section 68 of the Consolidation Act).

Sections 36 to 41 of the Act of 1885 (Existing institutions) have been dropped. The list is not up to date, and the saving clause of the Consolidation Act makes full provision.

Section 74 of the Act of 1885 (Relief to persons coming from beyond the contributing districts) has been extended to cover maintenance. This is in accordance with judicial decisions (section 86 of the Consolidation Act).

Section 88 of the Act of 1885 requires the Governor, as "soon as may be after the coming into operation of this Act," to set apart up to 250,000 acres of Crown lands as endowments for the purposes of the Act. We understand that this section has never been acted on. As, however, it has not been specifically repealed we have retained it (section 93 of the Consolidation Act), and it is for the Legislature to say how far it is superseded by the national-endowment provisions of the Land Act or otherwise.

Section 24 of the Act of 1886 exempts from stamp duty all receipts given by a Board. We have extended this to Trustees (section 105 of the Consolida-