

UCKLAND

T H I S D E E D made the 20th day of July One thousand
nine hundred and thirty-seven B E T W E E N

WILLIAM ROBERT WILSON of the City of Auckland Company Director of the

first part ERNEST HYAM DAVIS of the City of Auckland Company Director

(hereinafter called "the Mayor of Auckland") of the second part A N D

THE AUCKLAND HOSPITAL BOARD a body corporate constituted under "The
Hospitals and Charitable Institutions Act 1926" (hereinafter called ...

"the Board") of the third part W H E R E A S the said William ...

Robert Wilson did sometime since place his residence at Takapuna being
the lands and premises described in the First and Second Schedules

hereto at the disposal of the Mayor of the City of Auckland for the ...

purposes of a Home for Crippled Children in the Province of Auckland ..

upon condition that such home should be endowed by a fund to be provided

by public subscription AND WHEREAS consequent upon the said offer the

Mayor of Auckland invited public subscription to and instituted a

campaign for the establishment of a fund by the name of "The Mayor of

Auckland's Fund for the Endowment of the Wilson Home for Crippled ...

Children" (hereinafter called "the Endowment Fund") and now holds in ..

such fund the sum of twenty five thousand eight hundred and forty three

AND WHEREAS part of the said Fund namely the sum of Ten thousand two

hundred pounds was subscribed by Arthur Liston Wilson, Bertha Wilson,

Henry Wilson, Frederick Walter Wilson, John Martyn Wilson and Joseph ..

Macartney Wilson upon condition that the grounds of the said residence

should be maintained in substantially the same condition as they are ..

now in AND WHEREAS in the campaign for funds hereinbefore referred to

the gentlemen whose names and signatures appear in the appendix hereto

were associated with the Mayor of Auckland as his Committee of Business-

men AND WHEREAS there is in the City of Auckland a Society called the

New Zealand Crippled Children Society (Auckland Branch) Incorporated ..

having as its object the care of crippled children and the amelioration

of their physical social and economic conditions AND WHEREAS the ...

Mayor of Auckland having accumulated the endowment fund consulted his .

committee of Businessmen and the New Zealand Crippled Children Society

(Auckland Branch) Incorporated and with their advice and approval

invited The Hospital Board to accept the trusteeship of the said lands

and premises and of the endowment fund to the intent that the Hospital

Board should establish and maintain upon the said lands a recovery ...

hospital where convalescence and post operative care would be provided

for in ideal conditions for the benefit of crippled children in the
province of Auckland as defined by the New Zealand Crippled Children ...
Society Incorporated namely "Persons under twenty-one years of age who .
not being mentally defective have a defect which causes or tends to
deformity or interference with normal functions of the bones muscles or
joints such defective condition being either congenital or acquired but
not being a defect of the vital organs" AND WHEREAS pursuant to
divers conversations between the parties hereto the said William Robert
Wilson with the approval of the Mayor of Auckland and his said Committee
of Businessmen has agreed to transfer to the Board the lands described .
in the First and Second Schedules hereto TO BE HELD IN TRUST as to ...
the lands described in the First Schedule for a Home for convalescent ..
crippled children and as to the lands described in the Second Schedule .
hereto for a site for a Home for non-crippled convalescent children
AND WHEREAS the Hospital Board has agreed to accept the said trusteeship
upon the terms hereinafter declared and has agreed with the consent of .
the Minister of Health to establish upon the said lands an "Institution"
within the meaning of "The Hospitals and Charitable Institutions Act ...
1926" NOW THIS DEED WITNESSETH that it is hereby agreed and declared
as follows:

1. T H A T the said William Robert Wilson shall transfer to the Board
the lands described in the First and Second Schedules hereto.
2. T H A T the Board shall stand possessed of the lands described in .
the First Schedule hereto for the establishment of an Institution ..
within the meaning of "The Hospitals and Charitable Institutions Act
1926" for the reception relief convalescence and post operative care
and treatment and otherwise for the benefit and advancement of
crippled children resident within the Auckland Provincial District.
3. T H E name of the said Institution (hereinafter called "the Home")
shall be "THE WILSON HOME FOR CRIPPLED CHILDREN".
4. T H E Board shall have power to alter renovate and repair the
buildings at present on the said land and to erect on the said land
for the purposes contemplated by these presents any other building .
or buildings and as and when need may require to demolish alter and
repair all or any of such buildings.
5. T H E Board may in its discretion as and when accommodation in the

Home may be available admit thereto crippled children resident
outside the provincial district of Auckland.

6. I F at any time there shall be unoccupied beds in the Home which ..
are not required for crippled children then the Board may while such
beds are not so required receive into the Home non-crippled conva-
lescent children but no pulmonary-tuberculosis or other infectious
case shall in any circumstances be received into the Home.

7. T H E Board shall in pursuance of the powers vested in it by Statute
and subject to any conditions which may be imposed by law in that ..
behalf appoint a Committee to have the management of the said Home .
subject to the control of the Board. The New Zealand Crippled ...
Children Society (Auckland Branch) Incorporated so long as such
Society shall be in existence and if the same shall have ceased to .
exist then the Mayor for the time being of the City of Auckland
shall be entitled to submit to the Board for its consideration in ..
determining the personnel of such Committee the names of three
persons who in the opinion of the said Society or the said Mayor are
suitable persons to be included as members.

8. T H E parties hereto agree that they will use their best endeavours
to secure the passing of legislation providing -
 - (a) that the said Home shall be managed by a Committee of Management
subject to the control of the Board.
 - (b) that the Committee shall consist of (a) three members appointed
by The New Zealand Crippled Children Society (Auckland Branch) .
Incorporated so long as such Society shall be in existence and .
if the said Society shall have ceased to exist then by the Mayor
of Auckland for the time being and (b) not more than five
members appointed by the Board of whom one shall be the Chairman
of the Board who shall ex officio be Chairman of the Committee.
 - (c) that the Home shall be an "Institution" within the meaning of ..
the said Act.
 - (d) that notwithstanding anything in the said Act contained the
powers of the Board in respect of such Institution shall be ...
limited by the trusts hereby expressly declared and such trusts .
shall not cease to apply to the trust premises nor shall the ...
same be discharged by reason only that the Home shall be consti-
tuted an Institution within the meaning of the said Act.

9. T H E Mayor of Auckland shall pay and transfer the Endowment Fund to the Board to be held by the Board UPON TRUST to use so much ... as shall be necessary of the nett income arising from the investment thereof but not exceeding the income arising from the said sum of Ten thousand two hundred pounds for the maintenance and upkeep of the grounds of the Home which the Board shall at all times maintain in a condition comparable with the condition thereof at the date of these Presents AND UPON TRUST to use the balance of the income ... arising from the investment thereof for the maintenance of crippled children in the said Home.
10. N O part of the income arising from the Endowment Fund shall be ... applied for the benefit of non-crippled children (if any) received into the Home and for the purpose of rendering to crippled children the maximum benefit of the trusts hereby declared the Board in ... fixing and collecting charges payable by or on behalf of crippled children who may be received into the Home shall so adjust such ... charges as to give to all crippled children the benefit of the ... income from the Endowment Fund and the value of the Home property ... the intention being that the nett annual income from the Endowment Fund and the present annual value of the Home (which is agreed as ... being Five hundred and fifty pounds) shall after payment of upkeep and maintenance of the gardens and grounds of the Home be treated as a Fund to enable crippled children to receive treatment and care in the Home at a charge lower than that fixed by the Board for non-crippled children received therein.
11. T H E Board shall stand possessed of the lands described in the ... Second Schedule hereto as a site for the establishment of an Institution under "The Hospitals and Charitable Institutions Act 1926" .. for the reception relief convalescence care and treatment of convalescent children who are not crippled but such site shall not be used for the treatment of pulmonary tuberculosis or other infectious disease But the Board shall be under no obligation to ... establish any such Institution until in its opinion such an Institution upon the said lands is necessary.
12. T H E Home shall be deemed to be an Institution within the meaning of "The Hospital and Charitable Institutions Act 1926" under the ...

control of the Board.

IN WITNESS WHEREOF the parties hereto have hereunto subscribed their names the day and year first above-written:

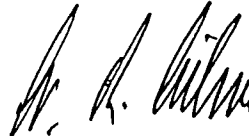
FIRST SCHEDULE

ALL THAT piece of land containing TWELVE ACRES THREE ROODS TWENTY-EIGHT DECIMAL SIX PERCHES more or less being portion of .
Allotment 21 of Section 1 of the Parish of Takapuna which said piece of land is the whole of the land comprised in Certificate of title .
Volume 311 Folio 204 of the Register Books in the Land Registry
Office at Auckland EXCEPTING theretout however the lands described in the Second Schedule hereto.

SECOND SCHEDULE

ALL THAT piece of land containing approximately TWO ACRES THREE ..
ROODS TWENTY EIGHT DECIMAL SIX PERCHES more or less being those portions of the land described in the First Schedule hereto ..
having frontage to St. Leonards Road and being the areas marked "A" on the plan drawn hereon.

WITNESS to the signature of William }
Robert Wilson - }



Alfred James
Solicitor
Auckland

WITNESS to the signature of Ernest }
Hyam Davis - }



Alfred James
Solicitor
Auckland

THE COMMON SEAL of The Auckland ... }
Hospital Board was hereto affixed in }
pursuance of a resolution duly passed }
at a meeting of the members of the . }
said Board held on the }
day of 1937 in the pre- }
sence of:- }

W. G. Wood Chairman }
A. G. Anderson Member } Of the Auckland Hospital
H. Somerville Secretary } Board

