

No. XLIV.

AN ACT to authorize a certain piece of Land situate at  
Hamilton, within the Provincial District of Auck-  
land, to be vested in Trustees, in trust for Volun-  
teers and Others. HAMILTON VOLUN-  
TEER HALL SITE.  
[29th October, 1878.]

**W**HEREAS a hall is about to be built on the land particularly  
described in the Schedule hereto, partly by funds contributed  
by Volunteer corps, partly by contributions from the public, and  
partly by aid from the Government: And whereas it is expedient  
that the aforesaid land should be vested in certain Trustees for the  
use of Volunteers and of the public generally: Preamble.

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 shall be “The Hamilton Volunteer  
Hall Site Act, 1878.” Short Title.

2. The following persons, namely, the Mayor of Hamilton, *ex  
officio*, William MacGregor Hay, James Hume, Charles Johnson,  
William Steele, and Samuel Steele, all of Hamilton, within the Pro-  
vincial District of Auckland, and all such other persons as shall be  
hereafter appointed Trustees under the provisions of this Act, and  
their successors, shall be and they are hereby constituted a corporate  
body in fact and in law, by the name and style of “The Trustees of  
the Hamilton Volunteer Hall” (herein called “the said Trustees”), and  
by that name they and their successors shall have perpetual succession  
and a common seal, with full power and authority by the same name Trustees  
incorporated.

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and style to sue and be sued, plead and be impleaded, defend and be defended in all Courts and in all causes and suits at law or in equity whatsoever, with power to take, purchase, and hold to them and their successors all real or personal property whatsoever, as may be granted, conveyed, or transferred to or vested in them, and also to do all other matters and things incidental and appertaining to a corporate body, subject nevertheless to any provisions in this Act contained affecting such powers.

Governor may  
remove Trustees.  
Trustees may resign.

3. The Governor may, by notice in the *New Zealand Gazette*, remove any Trustee from his office. Any Trustee may, with the consent in writing of his co-Trustees, resign his office.

Resignation, &c., of  
Trustees.

4. So often as any of the said Trustees, hereafter to be appointed, shall die, become bankrupt, resign, become incapable to act, or be removed, or absent from the Provincial District of Auckland for the space of twelve consecutive months, the Governor shall appoint, permanently or temporarily as occasion may require, another fit and proper person or persons to be a Trustee or Trustees in the room or stead of the Trustee or Trustees so dying, resigning, becoming bankrupt, incapable, or being absent as aforesaid. The *Gazette* containing the notice of the removal, resignation, or appointment of a Trustee shall be conclusive evidence of such removal, resignation, or appointment.

Reserves to be  
granted to Trustees.

5. It shall be lawful for the Governor to grant, convey, transfer, and assure the said parcel of land described in the Schedule hereto to the said Trustees and their successors, in trust, for the use of Volunteer corps and the public generally, subject nevertheless to the powers, provisions, and conditions herein expressed and declared.

Any such grant, conveyance, or assurance, may, if the land is under "The Land Transfer Act, 1870," be registered under that Act, notwithstanding trusts are expressed therein.

Application of rents,  
profits, &c.

6. All moneys coming to the Trustees under this Act shall be applied by them in and towards the improvement of the said land and of the buildings thereon, and in keeping the same in repair and rendering the same suitable for the purposes aforesaid.

Power to make, &c.,  
by-laws.

7. A meeting of the Trustees may be convened by any two Trustees by notice delivered personally to the other Trustees, or published once in some newspaper circulating in the Borough of Hamilton, seven days at least before the day for holding such meeting, or in such other manner as the Trustees shall by by-law appoint. A majority of the Trustees present at a meeting, or an adjournment thereof, may make, alter, and revoke by-laws providing for the times and places of meetings and the proceedings thereat, and for the appointment of a Chairman, and that such Chairman shall have a casting as well as an original vote, and providing for the times, terms, and conditions when and subject to which the said hall and premises shall be used by Volunteer corps and others, and may fix reasonable charges to be paid for such use.

Deposit copy of  
by-laws for  
inspection.

8. A copy of the by-laws, and of all amendments made therein, certified by the Chairman of the meeting, shall be deposited with the Colonial Secretary, and, if approved by him, shall take effect from the date of such approval.

Fines for breach of  
by-laws may be  
imposed.

9. Such by-laws may impose a fine not exceeding one pound on any person contravening the same.

Recovery of fines,  
subscriptions, &c.

10. Any such fine, if incurred, and any sum of money which any person has agreed to pay for the use of the said hall and premises, may be recovered by the Trustees by action in any Court of competent jurisdiction. All fines and charges, when recovered, shall belong to the Trustees, to be applied as specified in section six.

A.D. 1878.

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11. In any such action a copy of any by-law, being certified as a correct copy of such by-law by any two Trustees, shall be *primâ facie* evidence of such by-law. Evidence of by-laws.

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SCHEDULE.

Schedule.

ALL that parcel of land being Allotment 445 of the Town of Hamilton West, in the Provincial District of Auckland, in the Colony of New Zealand. Bounded on the North-west by Knox Street, three hundred and three links; on the North-east by Allotments Nos. 447, 448, 449, 450, and 451, four hundred and nineteen links; on the South-east by a reserve, two hundred and fifty links; and on the South-west by Allotment No. 407, three hundred and sixty-six links; containing by admeasurement one acre.

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