

New Zealand.



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1923, No. 1.—*Private.*

AN ACT to declare the Trusts upon which the St. John's College Trust Board holds certain lands, and to authorize the said Board to apply the Income therefrom for the General Purposes of St. John's College. Title.
[20th August, 1923.]

WHEREAS the St. John's College Trust Board, incorporated under the provisions of the Religious, Charitable, and Educational Trusts Act, 1908 (hereinafter called the Board), has vested in it the lands and funds described in the First Schedule hereto and hereinafter referred to as the scholarship funds: And whereas the scholarship funds were vested in the trustees named in the Preamble to the St. John's College, Auckland, Removal Act, 1883, to whom the Board has succeeded, by George Augustus, Bishop of New Zealand, by various trust deeds in the year eighteen hundred and fifty-nine, executed by virtue of the Bishop of New Zealand Trust Act, 1858, and by such trust deeds the said Bishop declared the respective trusts upon which the scholarship funds should respectively be held: And whereas the scholarship funds have been respectively held and administered by such trustees and the Board upon and subject to the trusts declared in such respective trust deeds as applying to each respective trust, but doubts have been raised as to whether the said Bishop was empowered to declare such trusts, and it is desirable that such doubts should be set at rest: And whereas the Board has recently erected new college and other buildings at the said college, and the expense of such erection has greatly exceeded the estimate therefor, and the providing of such cost has seriously embarrassed the Board's finances, so that it is impossible for the Board to carry on the said college unless further funds are available for the general purposes thereof; and it is desirable that the Board should be authorized to employ the income Preamble.

from the scholarship funds for the general purposes of the said college for a considerable period: And whereas the Board has also vested in it the land and funds described in the Second Schedule hereto (hereinafter referred to as the grammar-school funds) in trust for the purposes of and in connection with a grammar school to be carried on in connection with St. John's College aforesaid: And whereas no grammar school in connection with the said college exists, nor is it practicable to establish one for many years, and it is desirable to make provision for the application of the income from the grammar-school funds for the general purposes of St. John's College aforesaid for a considerable period:

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

Short Title.

Lands and funds to be held on certain trusts.

1. This Act may be cited as the St. John's College Trust Act, 1923.

2. The Board shall hold and shall be deemed to have held the scholarship funds, being the lands and funds described in the First Schedule hereto, upon and for the respective trusts and purposes respectively set opposite to the respective lands and funds mentioned in the said First Schedule, being the trusts and purposes respectively declared in the respective trust deeds registered in the Deeds Registry Office at Auckland under Nos. 60575, 60576, 60577, 60578, and 60580 respectively, whereby the said lands and funds, or the lands or funds from which the same arose, were vested in the Board's predecessors.

Board may expend income from trust funds for general purposes.

3. It shall be lawful for the Board, at its discretion, from time to time to apply the whole or such portion or portions as it thinks fit of the income from the scholarship funds referred to in the First Schedule, and from the grammar-school funds referred to in the Second Schedule, for the general purposes of St. John's College, near the City of Auckland, in such manner as the Board thinks fit for a period of twenty years from the passing of this Act, or for such longer period as may be directed from time to time by the General Synod of the Church of the Province of New Zealand.

Prior payments validated.

4. All payments or applications of income from the scholarship funds or the grammar-school funds for the general purposes of St. John's College aforesaid at any time heretofore made by the Board are hereby validated.

Schedules.

SCHEDULES.

FIRST SCHEDULE.

Name of Trust, and Lands and Funds affected.	Trusts upon which Lands and Funds held.
<p>1. <i>Consolidated Scholarships</i>.—Allotments 45, 46, 47, and 12A of Section 12, District of Tamaki, containing 160 acres 3 roods 6 perches; Allotment 26A of Section 12, District of Tamaki, containing 17 acres and 16 perches; part Allotment 37, District of Tamaki, containing 45 acres 1 rood 31 perches;</p>	<p>Upon trust for and towards the maintenance and support of scholars of the College of St. John the Evangelist, near Auckland, to be called after the names of the benefactors in such manner that the first elected of such scholars shall be called a Whytehead Scholar, the second an Appleyard Scholar, the third a Meyrick Scholar, the fourth an Abraham Scholar, the fifth an Eton Scholar, and again the sixth a Whytehead Scholar, and so on in succession in the order before stated, subject to all such rules and regulations as may from time to time be made by or by authority of the</p>

FIRST SCHEDULE—*continued.*

Name of Trust, and Lands and Funds affected.	Trusts upon which Lands and Funds held.
<p>part Allotment 37, District of Tamaki, containing 13 acres; Allotment 48, District of Tamaki, containing 21 acres; part Allotment 11, District of Tamaki, containing 20 acres; part Section 1, District of Tamaki, containing 5 acres 3 roods 20 perches: capital sum of £2,500 invested at interest</p>	<p>said General Synod concerning the election of such scholars, the number of such scholars to be maintained, the yearly sum to be allowed to each, and otherwise for securing the due execution of the trusts and purposes aforesaid; and until such rules and regulations shall be made concerning the matters aforesaid, subject to all such rules and regulations as may from time to time be made concerning the same by the trustees for the time being; and in case the rents, issues, and profits of the said lands shall exceed the amount needed for the support and maintenance of such scholars, or in case there shall be no such scholar, then upon trust to pay and apply the same towards the support and maintenance of the said College of St. John, and for the general purposes thereof.</p>
<p>2. <i>Lady Margaret Scholarships.</i>—Part of Farm Section No. 2, District of Tamaki, containing 60 acres 3 roods 8 perches</p>	<p>Upon trust for and towards the endowment of scholarships in the College of St. John the Evangelist, near Auckland, to be called by the name of Lady Margaret.</p>
<p>3. <i>Griffin Laing Scholarship.</i>—Part of Allotment 37, District of Tamaki, containing 69 acres and 19 perches; Allotment 56, District of Tamaki, containing 8 perches</p>	<p>Upon trust for and towards the maintenance of a scholar or scholars of the College of St. John the Evangelist, near Auckland, to be called Griffin Laing Scholars; and in case the rents, issues, and profits of the said lands shall exceed the amount needed for the support and maintenance of such scholars, or in case there shall be no such scholar, then upon trust to pay and apply the same for and towards the support and maintenance of the said college.</p>
<p>4. <i>Maria Blackett Scholarships.</i>—Part of Allotment 1 of Section 4 of the City of Auckland, containing 8.13 perches</p>	<p>Upon trust for the endowment of scholarships in the College of St. John the Evangelist, in Auckland, to be called by the name of Maria Blackett, or otherwise towards the support and maintenance of the said college.</p>
<p>5. <i>Widows and Orphans' Endowment.</i>—Part of Farm Section 5, District of Tamaki, containing 111 acres 1 rood 5 perches: capital sum of £1,712 1s. 9d. invested at interest</p>	<p>Upon trust for and towards the support and maintenance of superannuated and invalid clergymen of the Branch of the United Church of England and Ireland in New Zealand, and the widows and orphans of deceased clergymen—preference being given to those clergymen and widows who shall have been in connection with the College of Saint John the Evangelist, near Auckland, or shall be willing to reside within the college estate and to discharge such duties as may be assigned to them by the governing body of the said college—to pay and apply the said rents, issues, and profits to the purposes and subject to the preference aforesaid, and in such proportion, under such conditions, and in such manner as to the Board shall seem fit; and in case the rents, issues, and profits shall exceed the amount needed for the support and maintenance of such persons as aforesaid, or in case there shall be no such persons entitled thereto, then upon trust for the support and maintenance of the said College of Saint John, and for the general purposes thereof.</p>

SECOND SCHEDULE.

GRAMMAR SCHOOL TRUST.

PART of Allotment 17 of Section 4, Suburbs of Auckland, containing 5 acres and 30.5 perches: capital sum of £6,900 9s. 3d. invested at interest.