

New Parliament.

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and having this day passed as now printed is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

House of Representatives,
6th November, 1879.

[AS AMENDED BY THE LEGISLATIVE COUNCIL.]

Mr. Stevens.

Christchurch Drill-Shed.

ANALYSIS.

<p>Title. Preamble. 1. Short Title. 2. Christchurch Drill-shed Commissioners incorporated. 3. Power to remove and appoint Commissioners. 4. Power to convey land to Commissioners. 5. Land to vest in Commissioners and their successors. 6. Powers to build, repair buildings, &c. 7. Commissioners may lease surplus land. 8. Power to borrow. 9. Lenders not to have power to sell the land.</p>	<p>10. Application of borrowed money. 11. Application of rents and profits. 12. Commissioners to keep accounts and furnish balance-sheets to be audited. 13. How contracts to be made, varied, and discharged. 14. Lessees not responsible for the application of moneys. 15. Commissioners to make rules. 16. On failure of trust, lands to become demesne lands of the Crown. Money borrowed to be secured. 17. Interpretation. Schedule.</p>
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A BILL INTITULED

AN ACT to authorize the Grant and Transfer of certain Title.
 Parcels of Land in the City of Christchurch in
 Trust for the use of the Canterbury Volunteers,
 and to make provision for the Control and Man-
 agement of the said Lands.

WHEREAS by certain deeds of conveyance bearing date the Preamble.
 fifteenth day of December, one thousand eight hundred and
 sixty-two, and the nineteenth day of January, one thousand eight
 hundred and sixty-three, respectively, the parcels of land particularly
 5 described in the Schedule hereto were vested in the Superintendent of
 the then Province of Canterbury upon trust for public purposes:
 And whereas the said parcels of land were set apart by the said Super-
 intendent for the use of the Canterbury Volunteers and as a site for
 a drill-shed and other buildings connected with Volunteer purposes:
 10 *And whereas by virtue of "The Abolition of Provinces Act, 1875,"*
the said parcels of land are now vested in Her Majesty the Queen:
 And whereas a drill-shed and other buildings as aforesaid have been
 erected upon portions of the said parcels of land, and the said parcels
 of land have ever since been used for Volunteer purposes:
 15 And whereas it is expedient that the said parcels of land should be
 transferred and vested in Commissioners, in manner hereinafter men-
 tioned, and that the said Commissioners should be enacted a body
 corporate:

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.

1. The Short Title of this Act is “The Christchurch Drill-shed Act, 1879.”

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Christchurch Drill-shed Commissioners incorporated.

2. George Packe, Lieutenant-Colonel of the New Zealand Volunteers and Militia, Commanding the Canterbury District; Alexander Lean, Major of the New Zealand Volunteers, second in command of the said district; James George Hawkes, Captain of the City Guards, Canterbury Rifle Volunteers; and David Craig, Captain of the E 10 Battery of the New Zealand Regiment of Artillery Volunteers; and all such other persons as shall be hereafter appointed Commissioners under the provisions of this Act, and their successors, shall be and they are hereby constituted a body corporate, in fact and in law, by the name and style of “The Christchurch Drill-shed Commissioners,” and 15 by that name they and their successors shall have perpetual succession and a common seal, with full power and authority by the same name and style to do and suffer all matters and things incidental to or appertaining to a corporate body, subject nevertheless to any provisions in this Act contained affecting such powers. 20

Power to remove and appoint Commissioners.

3. In case any Commissioner shall die, resign, or become incapable to act, or be removed, suspended, or absent from the Provincial District of Canterbury for the space of six calendar months, the Governor shall appoint some other fit person or persons to be a Commissioner or Commissioners in the place of the person or persons so 25 dying, resigning, becoming incapable or being absent as aforesaid.

Power to convey land to Commissioners.

4. It shall be lawful for the Governor, on behalf of Her Majesty, to execute a conveyance or transfer to the Christchurch Drill-shed Commissioners and their successors (hereinafter called “the Commissioners”), of the parcels of land described in the Schedule hereto, as a 30 site for a drill-shed, armoury, and gun-shed, and for any other purposes in connection therewith for the use of the several corps of different arms of the Canterbury Volunteers.

Land to vest in Commissioners and their successors.

5. The parcels of land described in the Schedule hereto shall vest in and be held by the aforesaid Commissioners and their successors 35 with power, subject to the provisions of this Act, to make any contracts and do all other lawful things relating thereto.

Powers to build, repair buildings, &c.

6. It shall be lawful for the Commissioners to maintain and repair the drill-shed and other buildings connected with Volunteers now erected or hereafter to be erected on portions of the said parcels 40 of land, and to add to, alter, remove and pull down the said buildings and to erect others in addition thereto or in place thereof, either upon the present site of the said buildings or upon any other portion or portions of the said parcels of land which they may from time to time set apart for that purpose, and from time to time to vary and alter 45 the portion or portions which may for the time being be so set apart, and to set apart another portion or other portions of the said parcels of land for the said purposes in lieu thereof.

Commissioners may lease surplus land.

7. It shall be lawful for such Commissioners, by deed under their common seal, to lease from time to time ~~the whole or~~ any part of the 50 said parcels of land specified in the said Schedule hereto not required for the purposes of a parade-ground, armoury, and drill-shed, or buildings connected with Volunteer purposes, for any term or terms of years not exceeding *twenty-one* years at any one time. Every such lease shall be granted by auction or public tender at such rent and on such 55 conditions as the Commissioners shall think reasonable, and upon the special condition that substantial buildings of a permanent character only shall be erected on the land to be leased.

Power to borrow.

8. It shall be lawful for the Christchurch Drill-shed Commissioners to borrow on the security of the rents, issues, and profits of 60 the said parcels of land described in the Schedule hereto, any sum or

sums of money not exceeding in the whole the sum of five thousand pounds, and for such purpose to execute any deed or deeds securing to the lender or lenders the said rents, issues, and profits.

9. In any such deed or deeds granting such security as is herein-
5 before mentioned, it shall be expressly provided that the lender or lenders shall have no power of sale over the said parcels of land, nor over anything save the rents, issues, and profits of the land leased during the currency of any lease made under the authority of this Act.

Lenders not to have power to sell the land.

10. All moneys borrowed under the provisions of this Act shall be applied in or towards the maintenance and repair or the rebuilding of a drill-shed and other necessary buildings for Volunteer purposes on the said parcels of land: Provided always that no lender of the said moneys or any part thereof shall be concerned to see or inquire as to the application of the said moneys or to be answerable for their
15 misapplication.

Application of borrowed money.

11. All moneys received by the Commissioners for the rents, issues, and profits of the said parcels of land shall, after deducting therefrom all necessary expenses incurred in the management and collection thereof, be applied in and towards the repair, maintenance,
20 and alteration of or addition to any buildings now or hereafter to be erected upon the said parcels of land and used for Volunteer purposes, and the pulling down of such buildings and the erection of others in lieu thereof, and generally in and towards the support and encouragement of the Volunteer corps of the Provincial District of Canterbury,
25 and for such other purposes connected with the Volunteer Force as the Commissioners may from time to time determine to apply the same.

Application of rents and profits.

12. The Commissioners shall keep accurate accounts of all sums of money received for the rents, issues, and profits on account of the
30 said parcels of land, and of all costs, charges, expenses, and disbursements in connection with the maintenance and management thereof: And on the thirty-first day of December in every year, or within one week thereafter, the Commissioners shall prepare accounts and a balance-sheet showing their receipts and disbursements during the
35 previous year, and the actual state of the estate on the thirty-first day of December in that year; and such accounts and balance-sheet shall be laid before an Auditor to be appointed by the Governor, who is hereby required and empowered to examine and audit such accounts and balance-sheet; and such balance-sheet shall be published by the Com-
40 missioners in some local newspaper immediately after the same is audited.

Commissioners to keep accounts and furnish balance-sheets to be audited.

13. Contracts on behalf of the Commissioners may be made, varied, or discharged as follows:—

How contracts to be made, varied, and discharged.

45 (1.) Any contract which if made between private persons would be by law required to be in writing, under seal, or by deed, may be made, varied, or discharged in the names or on behalf of the Commissioners in writing under the corporate seal of the Commissioners.

50 (2.) Any contract which if made between private persons would be by law required to be in writing, and signed by the parties to be charged therewith, may be made, varied, or discharged in the name and on behalf of the Commissioners in writing, signed by any person acting under the express authority of the Commissioners.

55 (3.) Any contract which if made between private persons would by law be valid, although made by parol only and not reduced into writing, may be made, varied, or discharged by parol, in the name and on behalf of the Commissioners, by any person for the time being acting under the express authority of the Commissioners.

Lessees not responsible for the application of moneys.

14. No lessee shall be concerned to inquire into the necessity or propriety of any such lease, or be concerned to see to the application of the rents, or be answerable for the misapplication thereof.

Commissioners to make rules.

15. It shall be lawful for the Commissioners, and they are hereby authorized and empowered, from time to time to make and alter the rules for regulating the management or for prescribing the conditions on which the drill-shed and appurtenances shall be occupied and used. 5

On failure of trust, lands to become demesne lands of the Crown.

16. In the event of the several corps of the Volunteers failing to keep up the standard of efficiency of service, as the same may from time to time be prescribed by the Volunteer regulations *any Act or regulations for the time being in force affecting the Volunteer forces in the colony*, or of their services being discontinued, or of their being disbanded, then and in either of such cases the whole of the lands described in the Schedule hereto and the appurtenances shall *revert to and* be vested in Her Majesty the Queen, and shall be and become part of the demesne lands of the Crown: Provided, nevertheless, that in such event the rents, issues, and profits of the parcels of land shall still remain, *subject to the conditions of this Act*, as a security to the lender or lenders of any money that may have been borrowed under the authority of this Act. 10 15 20

Money borrowed to be secured.

Interpretation.

17. Wherever the word "Volunteer" is mentioned in this Act, it shall be understood to include "Militia," and shall be read as "Militia and Volunteers."

Schedule.

SCHEDULE.

ALL those six quarter-acre sections of land situate in and fronting upon Cashel Street and Montreal Street, in the City of Christchurch, in the Colony of New Zealand, being the Sections numbered 464, 466, 468, 470, 472, and 474, and delineated on the map of the Chief Surveyor of the Provincial District of Canterbury, setting out and describing the said City, deposited in the Survey Office of Christchurch aforesaid.