

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,
3rd December, 1879.*

[AS AMENDED BY THE LEGISLATIVE COUNCIL.]

Mr. Murray.

Kaitangata and Wangaloa Athenæums' Reserves.

ANALYSIS.

<p>Title. Preamble. 1. Short Title. 2. Lands in Schedules vested in Trustees. 3. Incorporation of Trustees. 4. Power to borrow.</p>	<p>5. Power to lease. 6. Mortgage, &c., not concerned as to consent, &c. 7. Application of rents. 8. Vacancies. Proviso. Schedules.</p>
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A BILL INTITULED

AN ACT to vest in Trustees certain Public Reserves Title.
at Kaitangata and Wangaloa, in the Provincial
District of Otago, for the purposes of an Athenæum
at the aforesaid places respectively.

WHEREAS the lands described in the Schedules hereto have been Preamble.
granted to the Superintendent of Otago, upon trust as an
endowment for an Athenæum at Kaitangata and Wangaloa respec-
tively: And whereas it is expedient to vest the said lands in Trustees
5 for the purposes aforesaid:

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 is "The Kaitangata and Wangaloa Short Title.
10 Athenæums' Reserves Act, 1879."

2. On the passing of this Act,—

The land described in the First Schedule hereto shall, without Lands in Schedules
vested in Trustees.
any conveyance, be vested in a Board of Trustees consisting
of the following persons:—William Aitcheson, Joseph
15 Robertson, and William Shore; and

The land described in the Second Schedule hereto shall, without
any conveyance, be vested in a Board of Trustees consist-
ing of the following persons:—Robert Beattie, John
Haggart, and Alexander Mitchell.

20 The said lands respectively shall be held by the persons in whom
they are hereby respectively vested for the purposes of this Act.

3. The Board of Trustees first above-named shall be a body Incorporation of
Trustees.
corporate by the name of "The Trustees of the Kaitangata Athenæum."

25 The Board of Trustees secondly above-named shall be a body corporate
by the name of "The Trustees of the Wangaloa Athenæum." Each
Board of Trustees above-named shall respectively have perpetual suc-
No. 1—3.

cession and a common seal, and with full power and authority by their respective corporate name to sue and be sued in all Courts whatsoever, and shall be capable in law for the purposes of and subject to this Act to do and suffer all such acts and things as bodies corporate may do and suffer, with power to take and hold all such lands, tenements, or hereditaments as may be in any manner vested in the ~~respective such~~ *Boards of Trustees* either as sites for Athenæums or for any other purpose in connection therewith. 5

Power to borrow.

4. It shall be lawful for the ~~respective said~~ *said Boards of Trustees* for the time being ~~of the said Athenæums respectively~~ from time to time to borrow money and to convey and assure by way of mortgage, without power of sale, *on* the lands hereby vested in them respectively, and *on* any other real or personal estate of such body corporate now or hereafter to be acquired by gift, purchase, or otherwise, and to execute all necessary mortgages, deeds, or instruments. The moneys so borrowed shall be applied in the erection of buildings and tenements on the land of the body corporate *by whom such money is borrowed*, or in the payment of any moneys for the erection or alteration of buildings for the use of the said Athenæums respectively. 10 15

New Proviso. 20

Provided that no money shall be so borrowed except with the consent of a majority of the members of the Athenæum so proposing to borrow, who shall be present at a meeting which shall be convened by notice advertised at least once in each of four consecutive weeks in a newspaper published or circulating in the district within which such Athenæum is situated. Such notice shall specify the business to be transacted at the meeting, and shall fix a time and place for the holding of such meeting, such time not being less than one month from the date of the first of such advertisements. 25

Power to lease.

5. The ~~respective said~~ *said Boards of Trustees for the time being, respectively*, are hereby empowered to lease or *let* the aforesaid lands or any part thereof or any buildings thereon, and also any other real or personal property which each such body corporate may from time to time hereafter acquire either by gift, purchase, or otherwise, and for any term not exceeding twenty-one years, or any less period than a year, to take effect in possession and not in reversion, at such rents and under and subject to such powers, provisos, covenants, and conditions as such body corporate may determine. 30 35

Mortgagee, &c., not concerned as to consent, &c.

6. No mortgagee, lessee, or other person dealing with the ~~respective~~ *either of the said Boards of Trustees* shall be concerned to inquire into the necessity or propriety of any such mortgage or lease, or whether any resolution has been passed or notice or advertisement given, or be concerned to see to the application of the mortgage moneys or rents, or be answerable for the misapplication or non-application thereof. 40

Application of rents

7. The ~~respective said~~ *said Boards of Trustees for the time being, respectively* shall apply the rents, profits, and annual income, after paying the interest upon money borrowed and the expenses of management, in or towards the objects and purposes of the ~~body such bodies~~ *corporate respectively*. 45

Vacancies.

8. If any of the said Trustees shall resign, or shall be absent for twelve months from the Provincial District of Otago, or shall be adjudicated a bankrupt or insolvent, or take the benefit of any Act for the relief of debtors, or shall be convicted of any felony, or become insane, he shall cease to be a member of the Trust, and the Governor may, in case of such vacancy, or in case of the death of any Trustee, appoint another in his place: Provided that after the constitution of an Athenæum such vacancies shall be filled up by vote of the members of such Athenæum in meeting assembled. 50 55

Proviso.

SCHEDULES.

Schedules.

FIRST SCHEDULE.

ALL that parcel of land in the Provincial District of Otago, in the Colony of New Zealand, situate in the Kaitangata District, containing by admeasurement three hundred and four (304) acres and thirty-eight (38) poles, more or less, being Sections numbered respectively three (3) and six (6), Block three (III.), on the map of the said district. Bounded towards the North by Section No. 2 and a road line, three thousand six hundred and ninety (3690) links; towards the North-east by a road line, six thousand seven hundred (6700) links; towards the South by Section No. 3, seven thousand three hundred and twenty (7320) links; and towards the West by Sections numbered respectively 4 and 5, five thousand two hundred and eighty (5280) links.

SECOND SCHEDULE.

ALL that parcel of land in the Provincial District of Otago, in the Colony of New Zealand, situate in the Kaitangata District, containing by admeasurement two hundred and fifteen (215) acres three (3) roods and twenty-six (26) poles, more or less, being Sections numbered respectively eight (8) and one of ten (1 of 10), Block three (III.), on the map of the said district. Bounded towards the North by Section No. 6, seven thousand three hundred and twenty (7320) links; towards the North-east by a road line, one thousand one hundred and seventy-seven (1177) links; towards the East by a road line, one thousand three hundred and seventy (1370) links, also by Section No. 2 of 10, one thousand five hundred and thirty (1530) links; towards the South by Section No. 2 of 10, two thousand three hundred and sixty (2360) links, also by a road line, two thousand six hundred and twenty (2620) links, and one thousand eight hundred and fifty-eight (1858) links; towards the South-west by a road line, two thousand five hundred and fifty-five (2555) links; and towards the West by Section No. 5, one thousand five hundred and fifty-eight (1558) links.