

C. King



NEW ZEALAND.



ANNO VICESIMO QUARTO

VICTORIÆ REGINÆ.

No. Local and Personal.

ANALYSIS:

- Title.
- Preamble.
- 1. Short Title.
- 2. Power to sell land.
- 3. Trustees' receipts to be sufficient discharge.
- 4. Money to be paid by Trustees under Grant to Trustees under Act.
- 5. Trustees under this Act to invest proceeds in purchase of other land, and to erect buildings and hold same upon Trusts.
- 6. Disposal of surplus moneys (if any).
- 7. Governor in Council to bring Act into operation on ascertaining consent of old Trustees.
- 8. Evidence of such consent.

AN ACT to authorize the Sale of certain Land and Buildings thereon in the City of Nelson, held in trust for the use of the Schoolmaster for the time being attached to the School belonging to the people called Wesleyan Methodists, and to provide for the investment of the proceeds of such Sale in the purchase of other Lands, and the erection of a Minister's Dwelling-house and a School-house thereon. Title.

WHEREAS by a certain Deed of Grant, bearing date the Fifth day of January, One Thousand Eight Hundred and Fifty-five, under the Seal of the Colony of New Zealand, all that piece or parcel of land situate in the City of Nelson, in the province of Nelson, in the said Colony, containing one acre more or less, bounded on the North by Washington-road, on the East by land granted to Daniel Dixon, and on the South and West by land granted to John Burns, with all the rights and appurtenances whatsoever thereto belonging, was granted unto James Watkin, of the Settlement of Wellington, Wesleyan Minister, Samuel Ironside, of the Settlement of Nelson, Wesleyan Minister, John Aldred, of the Settlement of Wellington, Wesleyan Minister, William Hough, of the Settlement of Nelson, storekeeper, Adam Jackson, also of Nelson, carter, John Riley, also of Nelson, carpenter, and Richard Wallis, of the District of Waimea East in the District of Nelson, schoolmaster; To hold Preamble.

unto the said James Watkin, Samuel Ironside, John Aldred, William Hough, Adam Jackson, John Riley, and Richard Wallis, and the survivors of them, and the heirs and assigns of such survivor; Upon Trust to permit the said land and all buildings thereon erected or to be erected to be for ever appropriated to the use of the schoolmaster for the time being attached to the school belonging to the people called Methodists, in the connexion established by the late Reverend John Wesley; And whereas the Wesleyan Methodists in the said City of Nelson, in the connexion aforesaid, since the date of the before recited Grant, with the consent of the Trustees therein named, have erected a substantial dwelling-house on the said land; And whereas the Government system of education in the said Province of Nelson sufficiently provides for the objects sought to be attained under the Trusts of the said recited Deed of Grant, ~~and the said Methodists, as a body, have not needed, nor are they likely to require to make provision for the establishment of any other description of school than a Sunday school;~~ And whereas it would be expedient that the said trust premises should be appropriated for the purposes of a Minister's dwelling-house and a school-house; but, on account of the distance of the said piece of land from the present Methodist Church, the situation thereof is inconvenient, and not suitable for such purposes, and it is therefore expedient that such trust premises should be sold, and other lands purchased in lieu thereof; And whereas the said James Watkin, Samuel Ironside, John Aldred, and Adam Jackson, have left the ~~Colony~~, and are unable to act in the execution of the Trusts of the said Deed of Grant, and it is expedient to appoint new Trustees thereunder;

*Province*

Be it enacted by the General Assembly of New Zealand, in Parliament assembled, and by authority of the same, as follows:—

Short Title.

I. The Short Title of this Act shall be the "Nelson Wesleyan Schoolmaster's Land Sale Act, 1860."

Power to sell land.

II. It shall be lawful for the said William Hough John Riley and Richard Wallis hereinafter called the resident Trustees, or the survivors of them, at any time after the passing of this Act, absolutely to make sale and dispose of the said Trust premises, either by public auction or by private contract, and in such manner as the said trustees or the survivors of them shall think fit, and to convey the said trust premises when sold to the person or persons who shall agree to become the purchaser or purchasers thereof. *and every conveyance made under the authority of this Act shall be deemed to convey in fee simple —*

Trustees' receipts to be sufficient discharge.

III. The receipts of the said resident Trustees, or the survivors of them, for the purchase money of the hereditaments hereby authorized to be sold, shall be good, valid, and sufficient acquittances for the same, and every contract for sale which shall be entered into, and every conveyance which shall be executed by the said resident Trustees, or the survivors of them, under the authority of this Act, shall be binding and conclusive on all persons claiming any legal or equitable estate benefit or interest under the trusts of the said Deed of Grant.

IV. The moneys to arise from the sale hereby authorized to be made shall be paid by the said resident trustees to the Reverend Jonathan Innis, Thomas Foy, Robert Burn, Martin Wales Lightband, Benjamin Crisp, William Jenkins, and the said William Hough, who are the present Minister and office-bearers of the said Wesleyan Methodists in the said City of Nelson, and the said John Riley and Richard Wallis, or the survivors of them—(hereinafter called "the Trustees under this Act")—whose receipt shall be a good, valid, and sufficient acquittance for the same, and shall discharge the said Trustees, or the survivors of them from all liability respecting the application or misapplication thereof.

Money to be paid by Trustees under Grant to Trustees under Act.

*together with*

*resident*

V. After defraying the expenses of passing and obtaining this Act the Trustees under this Act shall lay out and invest such moneys in the purchase of an appropriate site within the said City of Nelson, and in the erection thereupon of a minister's dwelling-house and school-house; and the Trustees under this Act, and the heirs and assigns of the survivor of them shall stand and be seized of the hereditaments so to be purchased as aforesaid, and of the dwelling-house and school-house to be erected and built thereon as aforesaid Upon trust, to permit the same to be for ever appropriated and used as and for a dwelling-house for the Minister for the time being, and for a school-house for the use of the people called Methodists in the connexion established by the late Reverend John Wesley, and worshipping in the chapel lately erected and built in the said City of Nelson.

Trustees under this Act to invest proceeds in purchase of other land, and to erect buildings and hold same Upon Trusts.

VI. If there shall be any portion of such moneys remaining unexpended after the completion of such purchase and the erection of such buildings as hereinbefore mentioned, the same shall be applied by the Trustees under this Act to such purposes for the benefit of the said connexion in Nelson, as any Judge of the Supreme Court may on summary application direct.

Disposal of surplus moneys (if any).

~~VII. This Act shall come into operation on such day as may be appointed by the Governor in Council by order in Council, which Order shall be published in the Government Gazette, and such Order shall be made whenever the consent of the Trustees named in the said Grant, or the survivors of them, to this Act, shall have been proved to the Governor in Council.~~

~~Governor in Council to bring Act into operation on ascertaining consent of old Trustees.~~

~~VIII. The signature of such surviving Trustees to a printed copy of this Act, attested by a Justice of the Peace or a Public Notary, shall be sufficient evidence of such consent.~~

~~Evidence of such consent.~~

*I certify that this Bill is in accordance with the Bill as passed in Select Committee*  
*Geo. H. Mulling*

*Chairman*

*19<sup>th</sup> Sep<sup>r</sup> 1860*