

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. Hamlin.

Waiuku Recreation Reserve.

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A BILL INTITLED

AN ACT to constitute a Board of Trustees, and to vest in it certain Public Reserves near to the Township of Waiuku, in the Provincial District of Auckland, for the purposes of a Public Recreation-ground and Volunteer Drill-ground.

WHEREAS the land described in the Schedule hereto has been reserved for a public recreation-ground and Volunteer drill-ground for the District of Waiuku; and it is expedient to vest the said land in a Board of Trustees 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 Waiuku Recreation Reserve Act, 1879."

2. On the passing of this Act the lands described in the Schedule hereto shall, without any conveyance, be and are hereby vested in a Board of Trustees (hereinafter called "the Board"), consisting of the following persons: John Barr Brown, Ebenezer Hamlin, Arthur Wellesley Manning, James Finlay, Daniel Henderson Lusk, Henry Wilson Hill, and John Thomas Mellsop, and shall be held by them for the purposes provided by this Act. On the first day of November in every year one of the Trustees shall retire from office, and such retiring Trustee shall be eligible for re-election. The Trustees shall retire in the following rotation: The Trustees appointed by this Act shall retire in the order in which their names occur in this Act, and after all such Trustees shall have retired or ceased to be Trustees, then at the end of every year the Trustee who has been longest in office without re-election shall retire.

Board incorporated.

3. The Board shall be a corporate body by the name of "The Trustees of the Waiuku Recreation-ground," with perpetual succession and a common seal, and with full power and authority by that name to sue and be sued in all Courts whatsoever, and shall be capable in law for the purposes 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 Board, either as a recreation- and drill-ground, or for any other purpose in connection therewith.

Vacancies.

4. If any member of the Board shall be directly or indirectly concerned in any contract with the Board, or shall receive or be entitled to receive any money or emolument for any work done or to be done for the Board, or shall be absent from the colony for the space of twelve calendar months, or shall be adjudicated a bankrupt or insolvent, or take the benefit of or be brought under the operation of any Act relating to bankrupt or insolvent debtors, or shall become a public defaulter, or shall become convicted of felony, his seat in such Board shall become vacant.

Resignations.

5. It shall be lawful for any member, by writing under his hand addressed to the Governor, to resign his seat on the Board, and upon the acknowledgment of the receipt by the Governor of such writing the seat of such member shall become vacant.

Vacancies.

6. Whenever any of the said members of the Board, or any member to be hereafter elected, shall die or cease to be a member of the Board, the vacancy shall be filled up by the Waiuku Highway Board and the Waipipi Highway Board alternately, commencing with the Waiuku Board, as follows:—So soon as a vacancy shall occur, the Board shall communicate the same to the Highway Board whose turn it shall be to fill the vacancy, and such Highway Board shall thereupon proceed to the election of some one to fill such vacancy, and shall, under its seal, communicate the election of such person to the Board.

Board may set apart portion of land as a site for a racecourse.

7. It shall be lawful for the Board to set apart a sufficient portion of the said parcel of land as and for the purposes of a racecourse, and from time to time to vary and alter the portion which may be for the time being so set apart, and to set apart another portion of the said land in lieu thereof.

Board may lease land.

8. It shall be lawful for the Board, by deed under their corporate seal, to lease from time to time, at such rent and on such conditions as they may think reasonable, the whole or any part of the said parcels of land specified in the Schedule hereto, for any term or terms of years not exceeding seven years at any one time, and on conditions not inconsistent with the purposes of the recreation- and drill-ground: Provided that every such lease shall be disposed of either by public auction or by public tender, as the Board shall think fit.

Proceeds of land to be expended in improvements.

9. All moneys received by the Board for the rents, issues, and profits of the said parcels of land shall, after deducting therefrom all necessary expenses incurred in the management thereof, be applied in and towards the cultivation and improvement of the said parcel of land, and in rendering any part thereof set apart for a racecourse suitable for that purpose, ~~and in and towards providing prizes for races to be run on the said racecourse.~~

Board to keep accounts.

10. The Board shall keep accurate accounts of all sums of money received for rents, issues, and profits on account of the said land, and of all costs, charges, and disbursements in connection with the management and maintenance thereof, and on the thirty-first day of March in every year, or within one week thereafter, the Board shall prepare accounts and a balance-sheet, showing the receipts and disbursements of the Board during the previous year, and the actual financial state

of the Board on the thirty-first day of March in that year, and such accounts and balance-sheet shall be forwarded to the Governor, and be published in the New Zealand Gazette.

5 II. It shall be lawful for the Board, and they are hereby author-
 ized and empowered, from time to time to make and alter rules for
 10 regulating their own proceedings, and to frame by-laws for prescribing
 the conditions on which the public shall be permitted to have
 access to the said recreation-ground upon any day when the same
 shall be used for racing purposes, or for the purpose of holding any
 15 agricultural show or exhibition, and for regulating the price for
 admission on such occasions, for excluding the public from such parts
 of the said parcel of land as it may be found necessary and desirable
 to improve or lay down in artificial grasses, for regulating the charges
 that may be made for the occupation of the said racecourse, for the
 20 erection of booths or stalls for the sale of refreshments, merchandize,
 goods, or chattels, and for the admission of horses and vehicles to
 the said recreation-ground: *Provided always that a copy of such by-
 laws, and of all amendments made therein, signed by the Chairman
 of the meeting at which such by-laws were passed, shall be deposited
 with the Colonial Secretary, and, if approved of by him, shall take effect
 from the date of such approval: Provided also that, upon such
 approval, a copy of such by-laws shall be kept posted up in some con-
 spicuous place on or near to such ground.*

Board may make rules.

SCHEDULE.

Schedule.

ALL that parcel of land in the Provincial District of Auckland, containing by admea-
 surement seventy-eight (78) acres one (1) rood sixteen (16) perches, more or less, being
 Sections numbered respectively one hundred and sixty-one (161), one hundred and
 sixty-two (162), one hundred and sixty-three (163), and one hundred and sixty-four
 (164), Parish of Waiuku East, situated in the Maoro Survey District. Bounded
 towards the North-west by Section 165, Parish of Waiuku East, five hundred and
 eighty (580) links; towards the North-east by the Waiuku Estuary, three thousand
 (3000) links; towards the East by Section 159, Parish of Waiuku East, one thousand
 three hundred (1300) links; towards the South-east by Section 160, Parish of Waiuku
 East, and a road line, one thousand three hundred and thirteen (1313) links; again
 towards the East by a road line, one thousand six hundred and ninety-five (1695)
 links; towards the South-east by a road line, four hundred and four (404) and eight
 hundred and forty-six (846) links; and towards the South-west by a road line, four
 thousand seven hundred and seventy-six (4776) links, and intersected by a road line one
 hundred (100) links wide, the area of which is not included: as the same is delineated
 on the plan deposited in the Survey Office, Auckland.