

# **Havelock Athenaeum and Mechanics' Institute Incorporation Act 1877**

Local Act 1877 No 30  
Date of assent 20 November 1877

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**An Act to incorporate the Members of an Association in the Town  
of Havelock, in the Provincial District of Otago, known as The  
Havelock Athenaeum, and to vest in such Association certain  
Land in the Town of Havelock as a site for a Mechanics' Institute,  
and other real and personal Estate.**

## **Preamble**

*[Repealed]*

The Preamble to this Act was repealed, as from 1 November 1907, by section 2 Statutes Repeal Act 1907 (1907 No 40).

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

**1 Short Title**

The Short Title of this Act shall be The Havelock Athenaeum and Mechanics' Institute Incorporation Act 1877.

**2 Incorporation of members by name of Havelock Athenaeum and Mechanics' Institute, and powers of body corporate**

The members of the association in the Town of Havelock known as **The Havelock Athenaeum**, and all such other persons as shall hereafter become members of such association, shall be and they are hereby constituted a body corporate by the name of **The Havelock Athenaeum**, and by such name shall have perpetual succession and a common seal; and shall have power to make, revoke, and vary rules and regulations, for making breaking or altering its seal and for the custody thereof, for the time and mode of convening meetings and Committees, and for determining the number to be a quorum at any such meetings and who shall preside thereat, and also for the conduct of any business at such meetings, and for directing and appointing Committees of its members, and for giving the management of all or any part of its affairs to any such Committees, and for determining what contribution either annual or for life or otherwise shall constitute any person a member, and for requiring that persons desiring to be members shall first be approved by the body corporate or by a Committee thereof, and for providing that in certain cases of default or misconduct any person shall cease to be a member, and for providing in any other manner or respect whatsoever not inconsistent with the provisions of this Act for the management and regulation of the affairs, property, and concerns of the said corporate body; and the

said corporate body shall have power to acquire, accept, and hold property real and personal.

The words “persons who at the time of this Act coming into operation shall be” were repealed, as from 1 November 1907, by section 2 Statutes Repeal Act 1907 (1907 No 40).

**3 Objects and purposes of body corporate**

The objects and purposes of the body corporate shall be to aid and promote public education and moral and intellectual improvement, and the general study and cultivation of the various branches and departments of art, science, and literature, by means of libraries, lectures, classes, or in any similar manner, and to provide funds for such purposes, but the members of such body corporate shall not derive any personal pecuniary profit therefrom.

**4 First meeting when to be held, and proceedings thereat**

*[Repealed]*

Section 4 was repealed, as from 1 November 1907, by section 2 Statutes Repeal Act 1907 (1907 No 40).

**5 Land described in Schedule vested in body corporate**

The pieces of land specified in the Schedule hereto, with the buildings thereon and all the appurtenances, shall, by virtue of this Act, be vested in the body corporate without any conveyance or assignment; and the District Land Registrar at Dunedin shall, on application to him, grant a certificate of title in favour of the Havelock Athenaeum of the said parcel of land.

**6 Power to borrow money by mortgage or debenture**

It shall be lawful for the body corporate to borrow money by debenture or mortgage, without power of sale, on the lands and hereditaments comprised in the said Schedule hereto, and 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, or

in the alteration, addition, or improvement of any building now and from time to time hereafter standing and being upon such land.

- 7 Power to lease for not exceeding twenty-one years**  
The body corporate is hereby empowered to lease by public auction or tender the said pieces of land or any part thereof or any buildings thereon, and also any other real or personal property which 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, provisoes, covenants, and conditions, as such body corporate may determine.
- 8 Consent of majority of members present at a meeting necessary to the borrowing of any money by mortgage or debenture, and to effect lease**  
No money shall be borrowed by mortgage or debenture, and no lease for any term shall be effected, except with the consent of a majority of the members of the body corporate who shall be present at a meeting to be held in the Town of Havelock, which meeting shall be convened by notice advertised for three consecutive times in a newspaper circulating in the Town of Havelock; 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 first of such advertisements. A like notice shall be delivered or sent through the post, addressed to each member of the body corporate residing in the Town of Havelock or District of Waitahuna.
- 9 Application of rents, profits, and annual income**  
The body corporate 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 corporate; and, further, the proceeds arising from any sale of the personal estate (other than

investments arising from the sale of real estate) may be applied in a similar manner.

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### **Schedule**

All those several parcels of land in the Provincial District of Otago, situate in the Town of Havelock, and containing by admeasurement in the whole two acres one rood and four poles, more or less, being Sections 4, 5, 6, and 7, Block XIX., and Sections 3, 4, and 5, Block XXVII, on the map of the said town, as the same are described in Crown grants, numbered respectively 14095, 14096, and 14097, to the Superintendent of Otago (in trust) for an endowment for an Athenaeum at Havelock, and dated 30th October, 1872, and are delineated respectively on the record map of the Town of Havelock, deposited in the Survey Office, Dunedin.

The words "Sections 3, 4, and 5 of Block XX" were repealed, as from 8 October 1906, by section 3 Havelock Athenaeum and Mechanics Institutes Incorporation Act 1877 Amendment Act 1906 (1906 No 3(L)).