

# Peninsula County Libraries Act 1877

Local Act 1877 No 25  
Date of assent 20 November 1877

## Contents

	Page
Title	1
Preamble	1
1 Short Title	2
2 Trustees of body corporate	2
3 Trustees have power to lease	2
4 Trustees may determine lease on three months' notice	2
5 Trustees' powers	3
6 Governor may at any time determine powers of Trustees	3
7 Application of rents	3
8 Governor may fill vacancies	3
<b>Schedule</b>	<b>4</b>

---

**An Act to set aside a Reserve for the Public Libraries in the Peninsula County.**

### Preamble

WHEREAS it is desirable to provide an endowment for the various Libraries within the Peninsula County, in the Provincial District of Otago: And whereas the land described in the Schedule hereto has been reserved for fortification purposes, but has not been otherwise dealt with: And whereas it is desirable provision should be made for vesting the management of the said land in trustees, with power to apply the rents and profits thereof in and towards the maintenance of the various Public Libraries at present established within the said Peninsula County:

**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 Peninsula County Libraries Act 1877.

**2 Trustees of body corporate**

The management and control of the land described in the said Schedule is hereby vested in the following persons:—James Seaton, Walter Riddle, Captain William Leslie, John McAulay, Nicholas John Coneys, James Muir, John Kerr, and John McCartney, all of the Peninsula County, settlers, who, with their successors in office, shall be and become a body corporate by the name of “The Peninsula County Libraries Trustees”, and by that name may do and suffer all things which bodies corporate may do and suffer subject to this Act.

**3 Trustees have power to lease**

Subject to the provisions of this Act the Peninsula County Libraries Trustees (hereinafter called “the Trustees”) shall have power to enter upon, take possession of, and manage the said lands, and may from time to time lease the same, or any part thereof, for any term or terms not exceeding twenty-one years in the whole, at such rent and under such conditions as the said Trustees may determine.

**4 Trustees may determine lease on three months’ notice**

Every lease made under this Act shall be made and have inserted therein an express condition for the determination thereof by the Trustees, upon their giving to the lessee three months’ notice in writing; and upon the expiration of the said notice the lease affected thereby, and the term thereby created, shall absolutely cease and determine, but without releasing the tenant from any arrears of rent or damages for breach of covenant.

**5 Trustees' powers**

So long as any such lease shall, and for the purpose of taking proceedings to recover possession of any land comprised in any such lease or otherwise, the Trustees shall have all such powers and remedies as if the fee-simple of the land therein comprised were absolutely vested in them.

**6 Governor may at any time determine powers of Trustees**

The Governor may at any time, and from time to time, on behalf of Her Majesty, give notice in writing to the Trustees that the land described in the said Schedule, or any part thereof, is required for the purpose for which it was originally reserved, and at the expiration of such notice the powers of the Trustees in respect of such land shall wholly cease and determine under this Act.

But this provision shall not be deemed to affect or prejudice any right or claim the Trustees may have against any tenant or occupier of such land in respect of his tenancy or occupation.

**7 Application of rents**

The Trustees shall apply the rents, profits, and annual income derived from the said land in equal portions to the various Public Libraries at present established within the said County of Peninsula, in the Provincial District of Otago.

**8 Governor may fill vacancies**

If any of the Trustees shall die, resign, or be absent from the Provincial District of Otago for twelve months, or shall be or become otherwise incapable of acting as a Trustee, or shall be adjudicated a bankrupt or insolvent, or take the benefit of any Act for the relief of insolvent debtors, or shall be convicted of any felony, he shall cease to be one of the said Trustees; and the Governor may, in case of any such vacancy occurring in the membership of the said Trustees, appoint another or others in his place.

### **Schedule**

All that parcel of land in the Provincial District of Otago, containing by admeasurement forty-five (45) acres and two (2) roods, more or less, situate in Block VI, Portobello Bay Survey District; and bounded towards the West, North, and East by a road line one hundred (100) links distant from the Otago Harbour; and towards the South by Section No 22, and a road line one thousand two hundred and thirty (1230) links, by a road line five hundred and forty (540) links, and by Section No 21 one thousand one hundred and seventy (1170) links: be all the aforesaid linkages more or less, as the same is delineated on the plans deposited in the Provincial District Survey Office, Dunedin.