

Trafalgar Park Purchasing Act 1891

Local Act 1891 No 13
Date of assent 21 September 1891

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An Act to purchase the Trafalgar Park.

Preamble

WHEREAS during the Taranaki war of one thousand eight hundred and sixty the wives and children of certain of the settlers there (hereinafter called **the refugees**) were removed from New Plymouth to Nelson, and in order to defray the expense of their support public subscriptions were collected and paid to a committee of management for that purpose elected:

And whereas shortly thereafter the support of the refugees was undertaken by the Nelson Provincial Government, and afterwards by the Colonial Government, and a sum of fifty thousand dollars was voted by the General Assembly of New Zealand by way of compensation for the losses incurred by the Taranaki settlers through

the said war: And whereas after the close of the said war free passages were offered to the refugees from Nelson to Taranaki, of which the great majority took advantage, but some few thereof elected to remain and settle in Nelson:

And whereas the immediate wants of the refugees being provided for, the Taranaki settlers who thereafter returned to Taranaki took compensation for losses incurred, and those who remained at Nelson became Nelson settlers by election, so that of the sum so subscribed as aforesaid a balance of one thousand dollars remained unexpended, and not required for the purposes for which it had been subscribed; and the same was placed upon deposit in the Union Bank of Australia (Limited), at Nelson, at interest, and has been re-deposited from time to time, and on the sixth day of July, one thousand eight hundred and ninety-one, amounted to three thousand three hundred and thirty five dollars 97½ cents:

And whereas the members of the said committee surviving and remaining in New Zealand are Oswald Curtis, William Wells, Edward Everett, and William Thomas Locke Travers:

And whereas it is desirable that the said sum of three thousand three hundred and thirty-six dollars should be applied for some purpose of public advantage, and for this purpose that it should be expended in the purchase of a certain parcel of land situated in the City of Nelson, known as **Trafalgar Park**, containing fifteen acres, more or less, and described in the Schedule hereto, to be vested in the Mayor and Corporation of the said city, and to be used as a recreation-ground and for other purposes connected with the athletic sports and other recreations of the inhabitants of the City of Nelson and the surrounding districts; and which parcel of land is now the property of the Nelson Savings Bank, and has been offered by the said Savings Bank to the said Corporation for the sum of three thousand three hundred and thirty-six dollars, less the costs and charges of and incidental to procuring the same to be so vested in the said Corporation:

The references to “fifty thousand dollars”, “one thousand dollars”, and “three thousand three hundred and thirty five dollars 97½ cents” were substituted, as from 10 July 1967, for references to “twenty-five thousand pounds”, “five hundred pounds”, and “one thousand six hundred and sixty-seven pounds nineteen shillings and ninepence” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

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 is The Trafalgar Park Purchasing Act 1891.

2 Interpretation

In the construction of this Act,—

The said fund means the said sum of three thousand three hundred and thirty five dollars 97½ cents, and all other moneys (if any) at the date of the coming into operation of this Act, standing to the credit of the Taranaki Aid Fund mentioned in the preamble hereof, in the books of the Union Bank of Australia (Limited), at Nelson

The reference to “three thousand three hundred and thirty five dollars 97½ cents” was substituted, as from 10 July 1967, for a reference to “one thousand six hundred and sixty-seven pounds nineteen shillings and ninepence” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

The committee means the members of the said managing committee surviving and remaining in New Zealand

The Corporation means the Mayor, Councillors, and citizens of the City of Nelson.

3 Funds vested in Corporation

[Repealed]

Section 3 was repealed, as from 19 November 1907, by section 2 Statutes Repeal Act 1907 (1907 No 40).

4 Land vested in Corporation

The said parcel of land shall thereafter be conveyed or otherwise vested in the Corporation, and shall be held by it upon trust to use for ever for such purposes of athletic sports and other recreations as to it from time to time may seem proper and convenient.

- 5 Corporation may make by-laws to regulate management**
It shall be lawful for the Corporation to make such by-laws as it may think proper to regulate the management and control of the said parcel of land, and in particular to provide for and regulate the charging of fees, and imposing other conditions for admission to and remaining upon the same, whether the same shall remain in the hands and under the management of the Corporation, or be let as hereinafter provided.
- 6 Corporation may lease lands**
It shall be lawful for the Corporation to let the whole or any part of the said parcel of land on lease from time to time, or for any term of years not exceeding twenty-one, at such rent (if any) and subject to such covenants and conditions as the said Corporation may from time to time think proper, to any person or persons, whether as individuals or as trustees for others, or to any incorporated company, for use for such of the purposes as are mentioned in the last-preceding section of this Act, and with such powers of charging persons for admission to the said ground, and of insuring orderly conduct thereon, and with suitable provisions for re-entry thereon, in case of default by the lessee, as may seem to the said Corporation desirable.
- 7 Part proceeds to be expended in maintenance**
It shall be lawful for the said Corporation to apply the net proceeds of all such rent (if any) in the first place towards the maintenance or ornamentation and upkeep or improvement of the said parcel of land, as may seem desirable, and in the next place to such public charitable purposes as to the Corporation may seem proper.
- 8 Payment of money by bank**
[Repealed]
Section 8 was repealed, as from 19 November 1907, by section 2 Statutes Repeal Act 1907 (1907 No 40).
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Schedule

ALL that parcel of land situate in the City of Nelson, containing by admeasurement 14 acres 3 roods 11 perches, more or less, being Sections numbered respectively 242A, 10, 11, and 12, Block H, on the map of the said city, and being all the land comprised in Certificate of Title Register-book, Vol 9, folio 215, Land District of Nelson.