

# **Wanganui And Rangitikei Racecourses Act 1862 (W)**

Provincial Act 9  
Date of assent 19 June 1862

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**Anno Vicessimo Quinto Victoriae Reginae  
An Act to provide for the management of the racecourses in the  
Wanganui and Rangitikei Districts**

### **Preamble**

WHEREAS it is expedient that provision should be made for the management of the pieces of land appropriated, or to be appropriated, for the Wanganui and Rangitikei racecourses.

**1 Number of Trustees**

The management of such public racecourses shall be vested in 5 Trustees, to be elected as hereinafter provided.

**2 Trustees, how to be elected**

The first election of such Trustees shall take place within 2 months after the passing of this Act, at a public meeting of the electors, for the Wanganui and Rangitikei districts, to be called by any 2 Justices of the Peace, on the requisition of 3 registered electors, by advertisement in some paper published in the district, provided always such advertisement specifies the time and place of meeting, and be published not less than 14 days prior to the time at which such meeting is intended to be held, and the subsequent election for such Trustees shall take place on the first Monday, in the month of August, in every other year, at public meetings of the electors aforesaid at such convenient place and time as the Chairman of the Trustees shall appoint. If there be more candidates proposed than the number to be elected, the Chairman, or some person appointed by him, shall call for a show of hands separately in favour of each candidate, and after such show of hands, shall declare the person or persons on whom the election has fallen. If, however, any candidate, or 3 electors, shall demand a poll, a polling shall take place on the day following, and the Chairman, or some person appointed by him, shall preside at the polling. The voting to commence at 9 am, and close at 4 pm, on the same day. And the mode of voting shall in all other respects be conducted in the same manner as is provided for the election of the members for the Provincial Council; and the Chairman shall report in writing to the Superintendent, the names of the persons elected to form the Trustees, and the same shall be published in the Government *Gazette* of the Province. If any Trustee shall refuse to act, or be absent from the Province 4 months at any one time, or become bankrupt, or an insolvent debtor, within the meaning of any laws relating to insolvent debtors, or a public defaulter, or be convicted of felony, or any infamous crime, he shall cease to be a Trustee. If at any time a vacancy shall occur by reason of death, absence, resignation, bankruptcy, or otherwise, the Trustees

shall signify the same to the Superintendent, who shall appoint a fresh election to take place, at such time and place as he shall think expedient; and such new Trustee shall hold office until the next General Election. All questions and disputes which may arise concerning the election of any Trustees shall be referred to the Superintendent and Executive Council, by petition in writing of 5 or more Electors, presented within 14 days after such election or such meeting at which the disputed proceeding shall have taken place; and all questions respecting the vacancy, of the office of members shall be referred to the Superintendent and Executive Council, whose decision shall be final:

Provided always that if at any time the electors shall fail to appoint Trustees, whether at a general or special election, it shall be lawful for the Superintendent to appoint 5 Trustees, or such number as may be required to be elected, who shall have the same powers and be subject to the same regulations as if elected as herein provided. The Trustees shall continue in office until the next election of Trustees. The Trustees shall elect one of their number to be Chairman, who shall have a substantive and casting vote. Any Trustee going out of office may be re-elected.

**3 Power to Trustees to hold land for the purposes of this Act**

It shall be lawful for such Trustees and their successors to accept a conveyance of the land set apart for such racecourses, for the purposes set forth in this Act, and the legal estate therein shall become vested in such Trustees, immediately upon their election or appointment, and the notice of such their election or appointment in the Government *Gazette* of the said Province, shall be a sufficient evidence of their title.

**4 At meetings of Trustees 3 to be a quorum**

All acts, matters, and things which the Trustees may do or determine, with reference to the said lands, under the authority of this Act, may be done and determined by any 3 of such Trustees, assembled at a meeting, whereof due notice shall have been given to or forwarded for all the Trustees, who shall

appoint a Chairman of such meeting, who shall not only vote as a Trustee, but, in case of equality of votes, shall have a casting vote.

**5 Power to Trustees to appoint officers**

It shall be lawful for such Trustees to appoint such officers as they shall deem necessary for the custody and management of the said land, and to fix and pay the salary of such officers, and all necessary charges for the management and regulation of the said land.

**6 Power to Trustees to let or fence land**

It shall be lawful for such Trustees to let from time to time all or any portion of such land, and to fence the same, or any part thereof, and to do all such acts as they may deem necessary for the management, improvement, and regulation thereof:

Provided that no such letting shall interfere with the purposes for which such land shall have been so set apart.

**7 Power to Trustees to charge fees for admission to Racecourses**

The Trustees may also settle and receive such fees and payments, in respect of admission of person's horses and vehicles into any portion of such land as they may think fit, and from time to time receive donations or subscriptions, and grants of public money, to be laid out on the permanent improvement of the said public racecourses, or the furtherance of the races to be held thereon, as they may think proper.

**8 Trustees to hold a yearly meeting**

The Trustees shall hold a public meeting, after due notice in some Wanganui newspaper, at least once every year, at which a true statement of all receipts and disbursements, respecting the said racecourses, shall be presented in writing.

**9 Trustees accountable only for their own acts, defaults, etc**

The Trustees of such public racecourses shall not be answerable or accountable for the other or others of them, but each and every of them for his and their own acts, receipts, neglects, or defaults, respectively; nor for any misfortune, loss, or damage which may happen in the execution of the aforesaid trusts, or in relation thereto, except the same shall happen by or through their own wilful fault respectively.

**10 Power to Trustees to make regulations for the conduct of sports and race**

It shall be lawful for the said Trustees to make all such regulations as they may think fit, for the conduct of all sports and races within the said ground, and to expel therefrom all persons wilfully infringing such regulations or otherwise misbehaving.

CHARLES WILLIAM  
SCHULTZE,

SPEAKER

I hereby certify the above to be  
in accordance with the Bill as  
passed by the Council.

C. B. BORLASE,

Deputy Chairman of  
Committees.

Passed the Provincial Council  
this 17th day of June, in the  
year of our Lord, 1862.

WILLIAM BEST,

CLERK OF COUNCIL

I assent to this Act on behalf of  
the Governor of New Zealand,  
on this 19th day of June 1862.

I. E. FEATHERSTON,  
SUPERINTENDENT.