

**Reprint
as at 26 October 1935**



Wills's Road Hall Act 1935

Private Act 1935 No 2
Date of assent 25 October 1935
Commencement 25 October 1935

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An Act to rectify a deed of conveyance bearing date 9 October 1928 and expressed to be made between Joseph Herbert Cecil Hewetson of the first part, Godfrey Harley of the second part, and Edna May Gifford of the third part, by vesting the Wills's Road Hall and the site thereof, situated at the Moutere, in Edna Mabel Gifford, of Okiawa, spinster, absolutely

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

Preamble

Whereas by the said deed of conveyance bearing date 9 October 1928 and made between Joseph Herbert Cecil Hewetson, of Upper Moutere, in the Provincial District of Nelson, farmer, of the first part, Godfrey Harley, of Lower Moutere, in the said Provincial District, farmer, of the second part, and Edna Mabel Gifford (erroneously called Edna May Gifford in the said deed of conveyance), of Okiawa, in the Provincial District of Taranaki, spinster, of the third part, all that piece of land situate in the district of Moutere, in the Land District of Nelson, containing 2 roods, more or less, being part of Section Number 164 on the plan of the said district of Moutere, bounded on the northward, 231 feet, by a public road, on the eastward, 93 feet, by other part of the said Section Number 164, on the southward, 231 feet, by other part of the said Section Number 164, and on the westward, 93 feet, by a public road, was in error conveyed to the said Edna Mabel Gifford (erroneously called Edna May Gifford) upon trust as a public hall:

And whereas it was the intention of the parties to the said deed of conveyance that the said piece of land should be conveyed to the said Edna Mabel Gifford absolutely for her own use and benefit:

And whereas the object of this Act which is to rectify such error is not attainable otherwise than by legislation.

1 Short Title

This Act may be cited as the Wills's Road Hall Act 1935.

2 Rectification of deed of conveyance

The deed of conveyance mentioned in the Preamble shall be and the same is hereby rectified by deleting therefrom the words—

“Upon trust nevertheless that the said premises shall form the site for and that there shall forthwith be erected thereon a public hall

“And it is hereby agreed and declared that the said Edna May Gifford shall have the entire and absolute control of the said

land and buildings for the time being thereon and the management regulation repair and care thereof with power nevertheless in her discretion to delegate the said management regulation repair and care or any of them to such persons or bodies of persons as she shall think fit

“And further that the said Edna May Gifford or the persons to whom the powers vested in her may have been from time to time delegated as aforesaid shall permit the said buildings to be used for mission or church services lectures concerts dramatic performances and other public or private entertainments and for meetings classes and other assemblies connected with parliamentary or municipal or other elections or with religious philanthropic or other societies or purposes upon such terms and conditions as to payment and otherwise as she or they shall from time to time think expedient

“And further that all moneys from time to time received as payments for the use of the said buildings or otherwise in the execution of the trusts hereof shall be applied in the first place to maintain repair insure alter improve or rebuild the said buildings as shall from time to time be thought expedient and in the next place to pay all expenses in respect of the custody or care of the said premises and finally to apply the surplus (if any) of such moneys to such charitable purposes as the said Edna May Gifford shall think fit with power however to accumulate such moneys or any part thereof for such period as the said Edna May Gifford shall think fit and to apply such accumulation to any of the purposes before described

“And it is hereby declared that in the event of the death of the said Edna May Gifford or her retirement from the trusts hereof a new trustee or trustees shall be appointed under the power conferred by the Trustee Act, 1908, and its amendments”,—
with the intent and purpose that the hereditaments conveyed thereby shall vest in Edna Mabel Gifford, of Okiawa, in the Provincial District of Taranaki, spinster, absolutely for her own use and benefit.

3 Private Act

This Act is hereby declared a private Act.

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Notes

1 *General*

This is a reprint of the Wills's Road Hall Act 1935. The reprint incorporates all the amendments to the Act as at 26 October 1935, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and

provisions that are repealed or revoked are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 *Changes made under section 17C of the Acts and Regulations Publication Act 1989*

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*
