

(Mr. Ingles.)

# Blenheim Grammar School Endowment.

## ANALYSIS.

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## A BILL INTITULED

AN ACT to endow the Blenheim Grammar School. Title.

**W**HEREAS by an Act of the Superintendent and Provincial Council of the Province of Marlborough, Session XXVII., No. 4, intituled "An Act to amend 'The Education Act, 1870,'" it is, amongst other things, provided that, "Whenever it shall appear to any Education Board of any borough constituted under 'The Municipal Corporations Act, 1867,' or any amendment thereof, or any town or district subject to the provisions of 'The Picton Improvement Act, 1861,' or any amendment thereof, that it is desirable to establish grammar schools in such borough town or district, and to levy a separate rate for the purposes of acquiring land for school purposes in connection with such grammar schools, for the erection of schools and necessary residences and buildings for the accommodation of masters teachers or boarders in connection with such schools, for the payment of the salaries of masters and teachers in connection therewith, or for defraying expenses incidental to the management or advancement of the said schools, then and in such case the Education Board for the purposes aforesaid may make and levy a rate equally upon all rateable property situate within the limit of the jurisdiction of such Board, and no such rate made in any one year shall exceed the amount of sixpence in the pound of the annual value of such property, or a halfpenny in the pound on the value to sell: Provided that no such rate shall be made unless a memorial shall have been presented to the Education Board, requesting that such rate may be made and levied, signed by such a number of ratepayers as shall hold a majority in number of the votes within such borough town or district:"

And whereas it is desirable that a grammar school should be established in connection with the Borough of Blenheim :

And whereas during the last session of the said Provincial Council the following resolution was passed :—

“That it is desirable that a block of Crown lands yielding and paying or estimated to yield and pay an annual value to let of not less than two hundred pounds, to supplement not less than an equal amount to be raised by special rate, should be set apart and reserved as an endowment for a grammar school to be established in Blenheim or its neighbourhood, under the Education Act of this session.”

And whereas it is expedient to give effect to such resolution :

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

Short Title.

1. The Short Title of this Act shall be “The Blenheim Grammar School Endowment Act, 1875.”

Education Board incorporated.

2. The Education Board for the Borough of Blenheim and their successors shall, for the purposes of this Act, be deemed and taken to be a body corporate, and shall take and bear the name of “The Blenheim Education Board,” and by that name shall have perpetual succession, and shall be capable in law to do and to suffer in respect of the lands by this Act authorized to be granted, and in respect of the moneys and income to arise from the same whatever may be lawfully done and suffered by a body corporate.

Governor to grant scheduled lands.

3. It shall be lawful for the Governor of New Zealand, with the advice of his Executive Council, at any time after the passing of this Act, in the name and on behalf of Her Majesty, to grant to the said Blenheim Education Board and its successors, for the purposes of this Act, all such estate and interest as Her Majesty now hath or may have in all or any of the lands specified and described in the Schedule hereto.

Trusts of lands.

4. The said Blenheim Education Board shall hold the said lands when so granted upon trust as an endowment for a grammar school to be established in the Borough of Blenheim.

Meaning of term “Borough of Blenheim.”

5. For the purposes of the last section the term “Borough of Blenheim” shall mean and include as well the Borough of Blenheim proper as also the sections and parts of sections enumerated in Schedule B to “The Education Act Amendment Act, 1875,” of the Marlborough Province.

Power to sell or exchange, and reinvest in lands or on mortgage.

6. All lands and tenements to be vested in the said Blenheim Education Board may be alienated by way of sale or in exchange for other property of the like nature and tenure situated within the Colony of New Zealand, and the said Blenheim Education Board may give or take any money by way of equality of exchange, provided that the money to arise from such sale or to be received for equality of exchange shall, with all convenient speed, be laid out in the purchase of other property of a like nature and tenure situated within the said colony, or at the discretion of the said Blenheim Education Board shall be forthwith invested in real or Government securities in New Zealand; and moreover any property so purchased or taken in exchange, and all securities on which the said trust moneys shall be invested, shall be held by the said Blenheim Education Board and their successors upon and subject to the same trusts powers and provisoes as the property so sold or given in exchange.

Board may lease.

7. It shall be lawful for the said Blenheim Education Board and their successors to lease the whole or any portion of the said lands and tenements, and those that may be hereafter acquired, for any term not exceeding twenty-one years in possession, at such rent and subject to such covenants and conditions as to the said Blenheim Education Board shall seem meet, and either with or without taking any fine or

premium for the making of such lease: Provided, however, that the lessee or lessees do execute a counterpart of such lease.

8. All rents issues and profits arising from the leasing of the said lands and tenements and all interest dividends and annual proceeds arising from or payable on account of such investments as by this Act are authorized, shall be paid and applied by the said Blenheim Education Board to and for such and the same purposes as rates levied under section twenty-one of the Act of the Superintendent and Provincial Council of Marlborough, the Short Title whereof is "The Education Act Amendment Act, 1875," are directed to be applied, or to and for such purposes as may be hereafter defined by any Act of the said Superintendent and Provincial Council: Provided always, that this present clause shall not be deemed to warrant the said Superintendent and Provincial Council in applying the moneys aforesaid for any other purpose than for the benefit of the Blenheim Grammar School.

Application of income.

9. If it should be deemed expedient in the interest of the said Blenheim Grammar School to borrow any sum or sums of money on mortgage of the said lands and tenements, or on the securities on which any of the said trust moneys shall be invested, it shall be lawful for the said Blenheim Education Board so to borrow; but no moneys shall be borrowed for any other than building purposes in connection with such grammar school, or for making permanent improvements to such buildings, or the grounds attached thereto or connected therewith.

Power to mortgage.

10. No alienation other than authorized by this Act shall be of any avail.

Alienations of no avail.

11. Every deed executed by the said Blenheim Education Board to be of any avail shall be under the common seal of the said Board, and shall be signed by the Chairman for the time being of the said Board, which acts of sealing and signing shall be attested by two other members of the said Board by signing their names.

Deeds, how executed.

12. Nothing herein contained shall in any way prejudice or affect the right of any person or body corporate in to or over any such lands as by this Act are to be granted, except the right of Her Majesty, her heirs and successors.

Saving rights of third persons.

### SCHEDULE.

ALL that parcel of land in the Province of Marlborough, situate in the District of Awatere, and containing twenty-one thousand and seventy-five (21,075) acres or thereabouts: Commencing at the junction of the Molesworth Creek with the Awatere River, and bounded thence by the said river to the abuttal of a public road; thence by the said abuttal, and Sections numbered 20, 19, 18, and 17 on the plan of the said run, and an abuttal of the said road, to the Awatere River, and by the said river and a line across that river in continuation of the south-west boundary of Section 16 of the said run, and by the abuttals of two public roads, the said Section 16, and Sections 14, 10, 8, 6 and 5, to the River Yeo; thence by the Yeo, and a public road along Sections 63 and 64 of the Fairfield Run, and a line from the southern angle of the last-mentioned road, to the summit of the Kaikoura Mountains; thence by a line along the said summit to the Barefell's Range, and following the summit of that range to Barefell's Pass; thence by the boundary line of the said Province of Marlborough, and a line along the summit of Barefell's Range, to a low saddle at the source of the eastern branch of Molesworth Creek; and thence by the Molesworth Creek to the commencing point.

Schedule.

All that parcel of land in the Province of Marlborough, situate on the Middlehurst Run, in the District of Awatere, and containing twenty-four thousand two hundred (24,200) acres or thereabouts, the boundaries whereof are as follow:—Commencing at the north-eastern extremity of Section numbered 23 on the plan of the District of Upper Fairfield Downs, and following that section in a southerly direction to a public road; thence by the said public road to a stream forming the eastern boundary of Section numbered 8 on the said plan, and following the said stream until it leaves the said Section numbered 8; thence along that section, and Sections numbered 9 on the said plan, and 7, 6, and 5 on the plan of the District of Fairfield Downs, and 32, 31, 30, and 29 on the plan of the said run, and 12, 13, and 14 on the plan first aforesaid, to a public road at the south-western angle of the last-mentioned section; thence along that public road to Section numbered 37 on the plan of the said run; thence by that section, and Sections numbered 40, 41, 43, 44, 45, 46, and 42 on the plan of the said run, to a

public road, along Sections numbered 39, 38, 35, and 34 on the plan of the said run; thence by that public road to Section numbered 16 on the plan first mentioned; thence by that section, and Sections numbered 15 on the same plan, to the Tone River; thence following the Tone River up stream to unoccupied Crown land; and thence by a right line to Mount Monro at the summit of Kaikoura Range; thence following the summit of the said range in a north-easterly direction to Mitre Peak; and thence by a right line to the point of commencement. Also, all that parcel of land situate on the Middlehurst Run aforesaid, and containing one thousand one hundred and eighty (1,180) acres, or thereabouts, the boundaries whereof are as follows:—Commencing at the abuttal of a public road on the left bank of the Winterton River, and following the said abuttal and Section numbered 26 on the plan first-mentioned, and the said sections numbered 6, 7, and 9, to a public road along the said section numbered 8; thence by that road and the said Section numbered 8 to a tributary of the Winterton River; thence along the said tributary to its junction with the Winterton River; and thence by that river to the point of commencement. And also all those parcels of land situate on the Middlehurst Run aforesaid, containing six hundred and ninety (690) acres or thereabouts, and lying between the Awatere River and a public road extending from the north-western extremity of Section numbered 24 on the plan of the said run, along Sections numbered 33, 32, 31, 30 and 28 on the plan of the said run, to the Awatere River.

All that parcel of land in the Province of Marlborough, situate on the Gladstone Run, in the District of Awatere, and containing ten thousand five hundred (10,500) acres or thereabouts, the boundaries whereof are as follow:—Towards the North-west by a public road one chain wide from the mouth of a stream running into the Winterton River to Section numbered 41 on the plan of the said run; thence by Sections numbered 41, 40, 39, 38, 37, 36, and 35 on the said plan to a public road; thence by the abuttal of that road to the Hodder River; thence towards the East by the boundary of the Camden Run to a saddle at the summit of the Kaikoura range of mountains; thence towards the South by a line along the said summit to Mitre Peak; thence by a right line to the north-east corner of Section numbered 23 on the plan of the District of Upper Fairfield Downs; and thence by the Winterton River to the point of commencement.

All that parcel of land in the Province of Marlborough, situate on the Braes of Sutherland Run, in the District of Awatere, and containing one thousand five hundred and seventy-five (1,575) acres or thereabouts. Bounded by a line commencing at a point on the right bank of the Isis Stream at a public road; thence along the abuttal of that road, Section numbered 25 on the plan of the said run, the abuttal of the public road between the said Section numbered 25 and Section numbered 37 on the said plan, the last-named section, and the abuttal of the public road which forms the north-eastern boundary of that section to Section numbered 26 on the said plan; thence along that section and a continuation of its south-western boundary to the Jordan River; thence along that river to its source at Jerry's Saddle; thence along the summit of the Kaikoura Range to Boundary Saddle at the source of the Isis; and thence to the Isis, and along its right bank to the point of commencement.