

Mr. Locke.

GISBORNE HIGH SCHOOL.

ANALYSIS.

<p>Title.</p> <p>1. Short Title.</p> <p>2. High School to be established at Gisborne.</p> <p>3. Board of Governors.</p> <p>4. Constitution of Board.</p> <p>5. Rotation of retiring members.</p> <p>6. Disqualification.</p> <p>7. Vacancies.</p> <p>8. Notification of vacancy.</p> <p>9. Governor may appoint in case of neglect or refusal of Councils or Board.</p> <p>10. Meetings. Election of Chairman.</p> <p>11. Vacancy in office of Chairman.</p> <p>12. Chairman has deliberative and casting vote.</p>	<p>13. Control and management thereof vested in Board.</p> <p>14. Regulations for conduct of business of Board.</p> <p>15. Minutes of proceedings.</p> <p>16. Accounts.</p> <p>17. Acts to be done in pursuance of resolution passed.</p> <p>18. "High Schools Reserves Act, 1880," to apply.</p> <p>19. Application of rent and profits.</p> <p>20. Investment of moneys.</p> <p>21. Secondary education reserves vested in Board.</p> <p>22. Expenditure in erection of buildings for high school authorized.</p> <p>23. School to be subject to inspection. Schedules.</p>
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A BILL INTITULED

AN ACT to provide for the Establishment and Management of a High School at Gisborne, or in the neighbourhood thereof, in the County of Cook. Title.

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

1. The Short Title of this Act is "The Gisborne High School Act, 1885." Short Title.

2. The Board of Governors hereinafter mentioned shall establish and maintain in the Town of Gisborne, or within a radius of five miles therefrom, a school or schools for the higher education of boys or of girls, or of both, to be designated the "Gisborne High School." High School to be established at Gisborne.

3. A Board of Governors for the said high school, to consist of six persons, is hereby constituted, and shall be a body corporate by the name of the Gisborne High School Board (hereinafter called "the Board"), by which name such body corporate shall have a perpetual succession and a common seal, and may hold lands, and may sue and be sued, and may do and suffer all such things as corporate bodies may do and suffer. Board of Governors.

Constitution of Board.

**4.** The members of the Board shall be appointed as follows, that is to say,—

Two shall be appointed by the Governor,  
Two by the Cook County Council, and  
Two by the Gisborne Borough Council.

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The first appointment and all subsequent appointments by such bodies, whether annual or to fill a vacancy, shall be made on such days and in such manner in all respects, as the Board shall respectively from time to time by resolution direct :

Provided that the first appointment by the Governor and by the Councils aforesaid shall take place within three months after the passing of this Act, and all subsequent appointments within one month after the vacancy in respect of which such appointment is necessary has been notified, as hereinafter mentioned.

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Rotation of retiring members.

**5.** On the first day of February, one thousand eight hundred and eighty-seven, and on the same day and month in every year thereafter, one of the members appointed by the Governor and one of the members appointed by each of the aforesaid Councils respectively shall retire, and a person shall be appointed in his place ; the members respectively to retire on the first day of February, one thousand eight hundred and eighty-seven, shall be previously determined by ballot of the said Board, and on the first day of February in every subsequent year the members who have served longest on the Board without reappointment shall retire ; but a retiring member may be reappointed.

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Disqualification.

**6.** If any member of the Board shall cease to reside at Gisborne, or within the County of Cook for a period of six months, or shall by writing under his hand to the Board or Secretary thereof resign his office, or become bankrupt, or be convicted of any indictable offence, he shall immediately thereupon cease to be a member of such Board.

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Vacancies.

**7.** In the event of any vacancy occurring by reason of the death, resignation, or otherwise of any of the members of the Board, such vacancy may forthwith be filled up by the appointment of a new member or members in the same manner as the person creating the vacancy was appointed.

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Notification of vacancy.

**8.** The Chairman of the Board, or some other officer authorized for the purpose by it, immediately on a vacancy occurring, shall notify the same in writing under his hand, and post it, addressed to the Governor or to the Clerk of the County Council entitled to appoint to such vacancy as may be the case.

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Governor may appoint in case of neglect or refusal of Councils or Board.

**9.** In the event of the refusal or neglect of either of the said Councils to appoint a member of the Board within the time specified by this Act for such appointment the Governor may appoint a member in lieu of the member who should have been so appointed.

Meetings.

**10.** The Board shall hold its first meeting on a day and at a place to be appointed by the Governor for the election of one of its members as Chairman, and the Chairman then elected shall come into office on his election and shall hold office until the day of the annual meeting in the year one thousand eight hundred and eighty-seven.

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The Board shall hold an annual meeting in the month of February in each year at such place as the Board shall direct.

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Election of Chairman.

At every annual meeting to be held after the year one thousand eight hundred and eighty-six the Board, by a majority of the members

present, shall elect one of its number to be Chairman, who shall come into office on his election and shall hold office for a term of one year only, or until his successor comes into office, but shall be eligible for re-election.

5 In the event of there being an equality of votes, the election of Chairman shall be decided by lot at such meeting.

11. If the Chairman shall from any cause cease to be a member of the Board, or resign the office of Chairman, the Board shall, as soon thereafter as conveniently may be, elect another member of the Board to be Chairman in his stead, who shall hold office only until the next annual election of a Chairman as hereinbefore provided.

Vacancy in office of Chairman.

12. At all meetings of the Board the Chairman, or, in his absence, such member of the Board as the majority of the members assembled shall choose, shall preside; and such Chairman or presiding member shall have a deliberative vote, and in all cases of equality of votes shall also have a casting vote.

Chairman has deliberative and casting vote.

13. There shall be vested in the Board the whole control and management of the high school or schools to be established under this Act, and also the entire superintendence over all the affairs, concerns, and property thereof, with full power to appoint and dismiss all professors, masters, teachers, lecturers, examiners, and other necessary officers and servants; and in all cases unprovided for by this Act it shall be lawful for the Board to act in such manner as shall appear to it best calculated to further the purposes intended to be served by the establishment of such schools: And the Board shall have full power from time to time to make, alter, and rescind by-laws and regulations for defining the course of study and education on secular subjects in the said high school or schools and also for regulating the discipline and examination of the same, the conditions upon which scholars shall be admitted, and the fees to be paid in respect of such admission, and in general touching all other matters, purposes, and things regarding the said high school or schools.

Control and management thereof vested in Board.

14. The Board shall make, and may from time to time revoke, vary, and make fresh, regulations for the conduct of business at its meetings, for determining how meetings shall be convened and what number of members shall constitute a quorum thereat, and for such other like matters as may be requisite for the conduct of the business of the Board.

Regulations for conduct of business of Board.

15. Minutes of the proceedings of the Board shall be regularly entered in a proper book to be kept for that purpose, and at every meeting of the Board the minutes of the previous meeting shall be read over and signed by the Chairman of the meeting at which the same shall be read, and the minutes when so signed shall be held to be a true statement and record of the proceedings of the Board for all purposes whatsoever.

Minutes of proceedings.

16. The Board shall keep full and accurate accounts of all its receipts, disbursements, assets, liabilities, and engagements, and shall, on or before the thirty-first day of the month of January of each year, cause the same to be audited by such person as the Governor may appoint; and copies of such accounts, when audited, shall be forwarded to the Minister of Education, together with a report of the proceedings of the Board during the previous year; and such report and accounts shall be laid before the General Assembly at its next session.

Accounts.

Acts to be done in  
pursuance of  
resolution passed.

17. All things required by this Act to be done by the Board shall be done in accordance with and in pursuance of a resolution passed at a meeting of the Board, and no act of the Board shall be invalid or liable to be questioned on the ground that one or more of the members thereof was or were incapacitated or had ceased to hold office, or on the ground that the seat of any member was vacant. 5

"High Schools  
Reserves Act, 1880,"  
to apply.

18. The rents, profits, and annual income of all real and personal estate which may be purchased by the Board, or granted as a site or sites or otherwise for the benefit of a high school or schools, or given, devised, or bequeathed to the Board for the benefit of the said high school or schools without any trusts or powers of a different nature being expressed in the instrument so giving, devising, or bequeathing to the Board, and all reserves of land made under this Act or that may be hereafter made by the Governor for the benefit of the said high school, shall be held and dealt with by the said Board under and subject to the provisions of "The High Schools Reserves Act, 1880," the Gisborne High School or schools being hereby declared to be a high school or schools under that Act. 10 15

Application of rent  
and profits.

19. The rents, profits, and annual income of all real and personal estate which may be vested in the Board, together with all funds which may from time to time be derived from fees or payments made in respect of scholars or students attending the said high school or schools, together with any annual allowance that may be made by the General Assembly of New Zealand or the Government of such colony, shall be applied by them for the maintenance of the said high school or schools, and the payment of salaries and expenses connected therewith, and for prizes, exhibitions, and scholarships for the students therein: Provided that the Board shall have power to set apart, if it shall see fit, out of the said rent, profits, and annual income, such part as it shall consider advisable, either as addition to the capital fund, which shall then be invested in manner as hereinafter mentioned and dealt with as part of such capital fund, or as a reserve fund to meet extraordinary expenses, which shall be invested and dealt with in such manner as the Board shall direct. 20 25 30

Investment of  
moneys.

20. With respect to any moneys bequeathed or given to the Board for the said high school or schools, or being rent, profits, and annual income set apart under the preceding section, the Board shall have power to invest the same in the purchase or upon mortgage of freehold lands in New Zealand, or upon the stocks, bonds, bills, or debentures of the Government of the Colony of New Zealand or issued by any local authority therein under any Act of the General Assembly, and may from time to time vary any such investment. 35 40

Secondary education  
reserves vested in  
Board.

21. The lands described in the First Schedule hereto, at present set apart for secondary education, and vested in the Commissioners appointed under and by virtue of "The Education Reserves Act, 1877," together with all the revenues and proceeds thereof, are hereby vested, subject to any leases or contracts heretofore entered into relating to the same, in the Gisborne High School Board incorporated by this Act, as from and after the first day of January next after the passing of this Act, and shall be applied by the Board to the purposes set out in section *nineteen* of this Act. 45 50

The lands described in the Second Schedule hereto are also hereby vested in the Gisborne High School Board, and shall be applied by the Board in similar manner.

5 **22.** The Board may, out of such moneys as shall come into their hands by virtue of this Act or otherwise for the benefit of the said high school or schools, expend any sum or sums not exceeding in the whole the sum of three thousand pounds in erecting suitable buildings for use as a high school or schools, upon the site or sites to be selected in terms of section *two* of this Act.

Expenditure in erection of buildings for high school authorized.

10 **23.** The Gisborne High School shall be subject to inspection by an Inspector appointed by the Minister of Education.

School to be subject to inspection.

SCHEDULES.

Schedules.

FIRST SCHEDULE.

—	Block.	Lot.	Area.		
			A.	R.	P.
Gisborne Town...	...	159	0	1	0
Gisborne Town...	...	160	0	1	0
Gisborne Suburbs	...	212	7	2	39
Patutahi Suburbs	...	3	10	0	0
Patutahi Suburbs	...	5	10	0	0
Patutahi Survey District...	IV.	53	44	1	0
Turanganui Survey District	I.	42	45	3	5
Turanganui Survey District	I.	44	38	1	16
Turanganui Survey District	I.	46	45	1	0

SECOND SCHEDULE.

ALL that area in the County of Cook, containing by admeasurement 6,896 acres, more or less, known as Marunga Block. Bounded towards the North-east generally by the Mangatokerau Block to a line, being the production of the south-western boundary-line of the Mangaheia No. 2 Block; thence by that line and by the said block to the Mangaheia River; towards the South and South-west generally by the Mangaheia River; and towards the West by the Matatuatonga and Ngatawakawaka Blocks.