

Mr. Luke.

## JOHNSONVILLE SCHOOL RESERVE AMENDMENT.

[LOCAL BILL.]

### ANALYSIS.

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| Title.<br>1. Short Title.<br>2. Power to borrow £2,600.<br>3. Statutory powers given to Board.<br>4. Objects of loan.<br>5. Property in buildings erected. | 6. Power to Board to occupy buildings.<br>7. Powers of leasing.<br>8. Position of Board as trustee defined.<br>9. Mortgagee not to have power of sale.<br>10. Act to be read in conjunction with previous Acts. |
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### A BILL INTITULED

AN ACT to amend the Johnsonville School Reserve Act, 1898, and to authorise the Johnsonville Town Board to borrow Money upon the Security of the Johnsonville School Reserve and a Special Rate, and to erect and occupy Buildings. Title.

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

1. This Act may be cited as the Johnsonville School Reserve Amendment Act, 1909. Short Title.
2. The Johnsonville Town Board is hereby empowered to borrow for the purposes hereinafter mentioned a sum or sums, not exceeding in the whole two thousand six hundred pounds, upon the security of the land described in the Schedule to the Johnsonville School Reserve Act, 1898 (hereinafter called the principal Act), and of a special rate to be levied in the Johnsonville Town District. Power to borrow £2,600.
3. For the purposes aforesaid, and notwithstanding the trust declared by the principal Act, the Johnsonville Town Board shall, subject as aforesaid, have all the powers of a Town Board under the Town Boards Act, 1908, and all the powers of a local authority under the Local Bodies' Loans Act, 1908, and the Rating Act, 1908. Statutory powers given to Board.
4. The moneys to be raised under the power to borrow given by this Act shall be expended in building on the said land a Town Hall and municipal offices, and in the purchase of furniture and fittings for the same respectively, and, if the said Board shall think fit, in building dwellinghouses and shops and repairing existing buildings thereon. Objects of loan.
5. All buildings and erections on the said land shall remain the property of the said Board, but subject to the trusts declared by the principal Act. Property in buildings erected.

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Power to Board to  
occupy buildings.

6. The said Board shall have power to occupy the said Town Hall and offices when erected, and to use any such furniture and fittings, for a term of thirty-five years from the passing of this Act, the said Board paying or accounting for an annual rent equal to five per centum upon the capital value of the premises so occupied, 5  
ascertained by the Government valuation made under the Valuation of Land Act, 1908, or any Act in substitution therefor; but no rent shall be paid for furniture or fittings.

Powers of leasing.

7. (1.) The power to lease and demise the said reserve shall extend to the buildings thereon, and the Town Hall may be leased 10  
or demised, either with or without the furniture and fittings thereon.

(2.) All profit made by the Board from leasing or demising the Town Hall, furniture, and fittings shall belong to the inhabitants of the town district; all other profit made by the Board out of the said land and any buildings thereon, together with the rent aforesaid at 15  
the rate of five per centum mentioned in section *six* hereof, shall be the property of the said trust.

(3.) The furniture and fittings shall be the property of the said trust.

Position of Board as  
trustee defined.

8. As between the said Board in its capacity of trustee under 20  
the principal Act and the said Board as representing the inhabitants of the Town District of Johnsonville, the moneys borrowed under the powers given by this Act shall, subject to the provisions hereof, be a first charge upon and primarily payable out of the land described in the Schedule to the principal Act, and all buildings and erections 25  
thereon, to the exoneration of the said town district and the inhabitants thereof, and any special rate to be levied as security therefor, but without prejudice to the rights of any person or Corporation holding security for any moneys so advanced to pursue any remedies available for recovery of any such moneys or the interest thereof. 30

Mortgagee not to  
have power of sale.

9. Notwithstanding the aforesaid provisions, no person having a security or charge upon the said land and buildings shall have any power to sell the same or any part thereof.

Act to be read in  
conjunction with  
previous Acts.

10. This Act shall be read in conjunction with the principal Act and the Johnsonville School Reserves Act Amendment Act, 1900 35