

Hon. Mr. Stevens.

LINCOLN AGRICULTURAL SCHOOL.

ANALYSIS.

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A BILL INTITULED

AN ACT to provide for the Management of the Lincoln School of Agriculture.

WHEREAS a Royal Commission was appointed on the twenty-third day of October, one thousand eight hundred and eighty-eight, to inquire into the management of the Lincoln Agricultural School, and to make recommendations as to the future management thereof; and the said Commission, in their report to the Governor, dated the twenty-eighth day of February, one thousand eight hundred and eighty-nine (published in the Appendix of the House of Representatives, 1889, E.-7A), did make certain recommendations, and it is expedient to give effect to the same: And whereas by Crown grants bearing date respectively the thirteenth day of April, one thousand eight hundred and seventy-five, and numbered 10,990, 10,991, and 10,992, Register C 46, certain lands in the Provincial District of Canterbury, in the Colony of New Zealand, comprising reserves one thousand five hundred and seventy-four (1,574), one thousand five hundred and seventy-five (1,575), and one thousand five hundred and seventy-six (1,576) (in red), were granted to the Superintendent of the Province of Canterbury and his successors in trust for the purpose of an endowment for a school of agriculture: And whereas under the provisions of "The Canterbury Educational Reserves Sale and Leasing Act, 1876," the said

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reserves were conveyed by the said Superintendent to the Canterbury College (incorporated under "The Canterbury College Ordinance, 1873"), to be held by the said College upon trust for the purposes declared of and concerning the same in the said recited grants: And whereas the Board of Governors of the said College has established and is now maintaining a school of agriculture at Lincoln, in the Provincial District of Canterbury aforesaid: And whereas certain of the said reserves, amounting to forty thousand and eighty-nine acres, more or less, have been sold, and out of the proceeds certain lands have been acquired by the said Governors for the purposes of the said Lincoln School: And whereas the aforesaid Board of Governors have applied out of the aforesaid proceeds a sum of seven thousand nine hundred and fifty-four pounds as a contribution towards the Canterbury College buildings, and it is fitting that the said sum should be refunded to the trust for the Lincoln Agricultural School, and that the unsold residue of the aforesaid reserves should be strictly appropriated for the purposes of the said school: And whereas it is expedient to make provision for the management of the said school and of the several lands aforesaid in the manner by this Act provided:

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 is "The Lincoln Agricultural School Act, 1889."

Interpretation.

2. In this Act, if not inconsistent with the context,—

"Governing bodies" mean the Committee, Council, or other executive body to whom the management of the affairs of any agricultural or pastoral society which is subject to the provisions of this Act is intrusted:

"Lincoln School," and "the said school," mean the School of Agriculture at Lincoln, together with the farm lands belonging thereto, established by the said College, and dealt with by this Act:

"Minister" means the Minister of Education, or other responsible Minister of the Crown for the time being administering this Act:

"The Board" means the Lincoln Agricultural School Board appointed under the provisions of this Act:

"The said College" means the Canterbury College, incorporated under and by virtue of an ordinance of the Superintendent and Provincial Council of the Province of Canterbury, intituled "The Canterbury College Ordinance, 1873."

Board of Management appointed.

3. For the purposes of this Act a Board of Management is hereby constituted consisting of nine members, three of whom shall be appointed from time to time by the Governor, to hold office for three years, and six shall be elected from time to time by the governing bodies of the several societies registered under "The Agricultural and Pastoral Societies Act, 1877," within the Land Districts of Canterbury and Otago, who shall hold office for two years; but every member shall, on retirement, be capable of re-appointment or re-election.

Governor may prescribe regulations for elections of Board.

4. The Governor in Council may from time to time make regulations for the conduct of all elections under this Act, and by any such regulations—

(1.) May prescribe the form of nomination of candidates and the mode of electing them, and the time when such elected members shall come into office; and the time when any necessary election shall be held;

5 (2.) May appoint all necessary Returning Officers and other persons to conduct such elections, and the form of ballot-papers to be used thereat, and the number of votes to be exercised by the respective electing governing bodies.

10 5. Any male of full age resident in either of the aforesaid land districts shall be qualified to be appointed or elected to the Board; but no person shall be so qualified if he holds any appointment or contract under the Board, or if he be of unsound mind, or becomes bankrupt, or makes any composition with his creditors under any Act relating to bankruptcy, or is or has been convicted in any part of Her
15 Majesty's dominions of felony, perjury, or any infamous crime, or of an attempt to commit a felony; and the office of every person who whilst in office comes within any of the aforesaid disqualifications shall *ipso facto* be vacated.

Qualifications and disqualifications of members.

20 6. Any person appointed by the Governor to the Board may resign his office by letter to the Governor, and any elected member may resign by letter to the Chairman, and in any such case, or in the event of the death of any member, or of his becoming disqualified as aforesaid, the vacancy thereby created shall be deemed an extraordinary vacancy to be supplied by a fresh appointment or election, as
25 the case may be.

Extraordinary vacancies.

On failure to elect to any extraordinary vacancy, the Governor may appoint any person to supply such vacancy.

30 Every person appointed or elected to an extraordinary vacancy shall hold office only for the residue of the term of office of his predecessor.

7. The Governor shall appoint the time and place of the first meeting of the Board, and shall appoint the first Chairman thereof, who, as well as his successors, shall hold office for a term of two years and further until his successor comes into office.

Time and place of meetings.

35 At the first meeting of the Board after a biennial election the members present shall elect a Chairman from among the members of the Board, whether appointed or elected thereto, who shall come into office upon his election.

Appointment of Chairman.

40 Every Chairman of the Board shall have, in all matters coming before the Board, a casting vote as well as an original vote.

The Chairman may resign his office without resigning his seat, and thereupon the Board shall elect forthwith another member to the office, who shall however hold the office only for the residue of the term of office as Chairman of his predecessor.

45 8. The Board may from time to time make, alter, and repeal regulations for all or any of the following purposes:—

Conduct of business.

50 For appointing the time and place of their annual meeting in every year, and regulating the times and places of their ordinary meetings, and for regulating the conduct of their business, and for keeping minutes of their proceedings, and for fixing the quorum:

For regulating the management, discipline, and control of the Lincoln School:

For prescribing the terms and conditions upon which students will be received at the said school, and generally for more effectually carrying out the purposes of this Act :

For appointing from time to time, or removing, not exceeding three members of the Board as an Executive Committee to have the immediate supervision of the said school, and to exercise in that regard such powers and functions as may be prescribed or delegated to them by the Board, and for regulating the term of office of any members of such Committee and their retirement, and for providing for supplying vacancies in their number, and for regulating their meetings and conduct of business. 5 10

Board may appoint officers, &c., of College.

9. The Board may from time to time appoint a Principal or Director to have the chief control of the Lincoln School, and also such professors, lecturers, teachers, officers, and servants as the Board may think fit, and, subject to such approval as aforesaid, may pay such persons such salaries as it thinks fit, and may at any time remove persons so appointed. 15

Persons at present holding office to continue therein.

10. All persons in the permanent employment of the said College at the Lincoln School upon the date of the commencement of this Act shall, without further appointment, be deemed to be persons in the service of the Board appointed under this Act, holding similar offices to those held by them at such date, and subject to the same terms and conditions in all respects as nearly as may be as if such persons had continued in the service of the said College. 20 25

Members may be paid travelling-expenses.

11. The members of the Board shall be entitled to be paid out of the Lincoln Agricultural School Fund their just and reasonable expenses in travelling to and from any meeting of the Board: Provided that the Governor in Council may, by regulations, regulate and limit the amount of such allowances, and the mode of their computation, and may fix an amount to be paid for each day of attendance or for each year. 30

Board may establish scholarships.

12. The Board may from time to time, out of any funds available for the purpose, establish scholarships to be competed for by the pupils attending any public school in the colony, in such manner and at such times and subject to such conditions as shall be fixed by regulations made by the Governor in Council under this Act. The successful competitor for any such scholarship shall receive the amount of his scholarship only so long as he shall continue his education at the Lincoln School to which such scholarship may be made to refer. 35 40

Scholarships under Education Act to be tenable at College.

13. The Lincoln School shall be open to inspection under "The Education Act, 1877," by any person appointed for the purpose by the Minister of Education, at all times as he shall think fit, and any scholarships obtained under that Act shall be tenable at the aforesaid school. 45

Board to be a body corporate.

14. The Board shall be a body corporate by the name of "The Lincoln Agricultural School Board," and by such name shall have perpetual succession and a common seal, and shall be capable in law of suing and being sued, and shall have power to take, purchase, sell, lease, surrender, and hold lands, tenements, and hereditaments, goods, chattels, and other property for the purposes of this Act. 50

No sale, purchase, exchange, or surrender of any lands, however, shall be made by the Board or be capable of taking effect without the approval of the Governor.

15. On the date of the commencement of this Act the following provisions shall have effect:—

Vesting of estate in Board.

(1.) All the lands, and all real and personal property of any kind whatsoever (including moneys and securities for money of every kind), live-stock, articles and things which on the date aforesaid shall be vested in the said College for the purposes of the Lincoln School, shall be and are hereby respectively vested in the Board appointed under this Act upon the same trusts, for the like estate and interest, and with the like powers and authorities (subject to the provisions of this Act) as the same were vested in the said College, without the necessity for any conveyance, assurance, assignment, or transfer whatsoever.

(2.) All lawful rights, claims, obligations, liabilities, and engagements whatsoever of or against the said College in relation solely to the Lincoln School outstanding on the date aforesaid shall, as from such date, be deemed to be rights, claims, obligations, liabilities, and engagements respectively of or against the Board.

(3.) All contracts made by the said College in relation solely to the Lincoln School up to the commencement of this Act shall, for all purposes as from that date, be deemed to have been made with the Board.

(4.) All regulations in force for the discipline and management of the said school, and made by the said College, shall continue in force until revoked or altered under or by virtue of the provisions of this Act or of regulations made hereunder.

16. The sum of seven thousand nine hundred and fifty-four pounds, applied as hereinbefore recited as a contribution towards the Canterbury College buildings, together with simple interest thereon calculated at the rate of *five* pounds per centum per annum from the time when the said sum was applied as aforesaid to the day of the passing of this Act inclusive, shall be a debt due by the Governors of the Canterbury College to the Board of Management of the Lincoln School appointed under this Act, and shall be paid either in one sum or by instalments, as the aforesaid Governors shall think fit, within *twenty* years from the date of the passing of this Act; and the said Governors shall in the meanwhile pay to the said Board in every year interest at the rate of five pounds per centum on the amount of the aforesaid debt which shall in such year remain unpaid.

Sum of £7,954 to be paid by Canterbury College Governors to Board.

17. All moneys received from time to time by the Receiver of Land Revenue in the Land District of Canterbury as proceeds from the sale or other disposal of the unsold residue of the endowment of one hundred thousand nine hundred and fifty acres mentioned in the recitals of this Act shall be paid by him to the Board appointed under this Act for the purposes of the said school.

Proceeds of unsold residue of endowment lands to be paid to Board.

Moneys of Board to be paid into bank to account of College Fund.

18. All moneys received by the Board as rents for any lands demised by them under the authority of this Act, or from the sale of stock, farm produce, or as fees from students at the Lincoln School, or from the proceeds of the sale or other disposal of any endowment-lands, or of investments, or otherwise howsoever, shall be paid into a bank to the account of the Board for the purposes of the "Lincoln Agricultural School Fund" hereinafter mentioned. 5

Appropriation of moneys in fund.

19. All moneys forming part of the aforesaid fund shall be paid into an account at a bank, to be called "The Lincoln Agricultural School Account," and any such moneys may be expended in providing instruction for students, or in purchasing stock, seed, agricultural implements respectively, and the payment of all expenses of labour and of working the farm, and such other things as may be necessary for the education of the students at the said school, and for the proper working of the same, and generally for carrying out the true intent and meaning of this Act. 10 15

Surplus moneys may be invested.

20. All surplus moneys of the Board remaining after defraying the expenses of the school in each year shall be invested by the Board in such securities only as shall be approved by regulations of the Governor in Council, and the proceeds of such investments shall be applied in manner only as provided by section *nineteen* of this Act. 20

Accounts and audit.

21. The accounts of the Board shall be kept in such manner as the Governor in Council may prescribe, and shall be audited once in every year, and oftener if the Governor so direct, at such time and by such person or persons as the Governor shall appoint. 25

A balance-sheet showing the revenue and expenditure made up to the thirty-first day of March in every year shall be forwarded by the Board to the Governor, who shall cause the same to be laid before the Houses of Parliament.