

This PUBLIC BILL originated in the HOUSE OF REPRESENTATIVES, and having this day passed as now printed is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

*House of Representatives,
3rd October, 1877.*

[AS AMENDED BY THE LEGISLATIVE COUNCIL.]

Mr. J. C. Brown.

Town of Havelock Athenæum and Mechanics' Institute Incorporation.

ANALYSIS.

<p>Title. Preamble. 1. Short Title. 2. Incorporation of members by name of Havelock Athenæum and Mechanics' Institute, and powers of body corporate. 3. Objects and purposes of body corporate. 4. First meeting when to be held, and proceedings thereat. 5. Land described in Schedule, and other real and personal estate vested in body corporate.</p>	<p>6. Power to borrow money by mortgage or debenture. Application of mortgage moneys. 7. Power to lease for not exceeding twenty-one years. 8. Consent of majority of members present at a meeting necessary to the borrowing of any money by mortgage or debenture, and to effect lease. 9. Application of rents, profits, and annual income. Schedule.</p>
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A BILL INTITULED

AN ACT to incorporate the Members of an Association in the Town of Havelock, in the Provincial District of Otago, known as "The Havelock Athenæum," and to vest in such Association certain Land in the Town of Havelock as a site for a Mechanics' Institute, and other real and personal Estate. Title.

WHEREAS the parcels of land described in the Schedule to this Act were set aside as an endowment for an Athenæum within the Town of Havelock, in the Provincial District of Otago: And whereas it is expedient to incorporate the said Athenæum, and to vest the said parcels of land in it as an endowment: Preamble.

BE IT THEREFORE 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 shall be "The Town of Havelock Athenæum and Mechanics' Institute Incorporation Act, 1877." Short Title.

2. The persons who at the time of this Act coming into operation shall be members of the association in the Town of Havelock known as "The Havelock Athenæum," and all such other persons as shall hereafter become members of such association, shall be and they are hereby constituted a body corporate by the name of "The Havelock Athenæum," and by such name shall have perpetual succession and a common seal; and shall have power to make, revoke, and vary rules of body corporate. Incorporation of members by name of Havelock Athenæum and Mechanics' Institute, and powers of body corporate.

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and regulations, for making breaking or altering its seal and for the custody thereof, for the time and mode of convening meetings and committees, and for determining the number to be a quorum at any such meetings and who shall preside thereat, and also for the conduct of any business at such meetings, and for directing and appointing committees of its members, and for giving the management of all or any part of its affairs to any such committees, and for determining what contribution either annual or for life or otherwise shall constitute any person a member, and for requiring that persons desiring to be members shall first be approved by the body corporate or by a committee thereof, and for providing that in certain cases of default or misconduct any person shall cease to be a member, and for providing in any other manner or respect whatsoever not inconsistent with the provisions of this Act for the management and regulation of the affairs, property, and concerns of the said corporate body; and the said corporate body shall have power to acquire, accept, and hold property real and personal. 5 10 15

Objects and purposes of body corporate.

3. The objects and purposes of the body corporate shall be to aid and promote public education and moral and intellectual improvement, and the general study and cultivation of the various branches and departments of art, science, and literature, by means of libraries, lectures, classes, or in any similar manner, and to provide funds for such purposes, but the members of such body corporate shall not derive any personal pecuniary profit therefrom. 20

First meeting when to be held, and proceedings thereat.

4. Not less than two months after this Act shall come into operation a meeting of the members of the body corporate shall be held in the Town of Havelock, at which meeting or any adjournment thereof the majority of the members present are empowered to do, execute, and perform, or authorize to be done, executed, and performed, any acts, deeds, matters, and things which the body corporate is by this Act authorized to do execute and perform; and at such meeting, and at every meeting until the body corporate shall have provided who shall be chairman, the meeting shall first proceed to elect a chairman, who shall preside and have a deliberative vote, and in case of equality of votes a casting vote. Notice of such first meeting shall be advertised for three consecutive times in some newspaper published nearest to the Town of Havelock; the notice shall specify the time when and place where such meeting is to be held, and shall be signed by the chairman or two of the vice-presidents, or three members of the said association. 25 30 35 40

Land described in Schedule, and other real and personal estate, vested in body corporate.

5. The pieces of land specified in the Schedule hereto, with the buildings thereon and all the appurtenances, and all other the real and personal estate to which the said Havelock Athenæum is entitled, whether in possession, remainder, or otherwise, and the whole legal and equitable estate and interest therein respectively, shall, by virtue of this Act, be vested in the body corporate without any conveyance or assignment; and the person in whom any such lands and personal estate were vested immediately before the coming into operation of this Act shall be discharged from all liability and responsibility which might thereafter arise or be incurred in respect thereof, or the trusts upon which the same were held, and the District Land Registrar at Dunedin shall, on application to him, grant a certificate of title in favour of the Havelock Athenæum of the said parcel of land. 45 50

Power to borrow money by mortgage or debenture.

6. It shall be lawful for the body corporate to borrow money by debenture or mortgage, without power of sale, on the lands and hereditaments comprised in the said Schedule hereto, and any other real or personal estate of such body corporate now or hereafter to be acquired by gift, purchase, or otherwise, and to execute all necessary mortgages, deeds, or instruments. The moneys so borrowed shall be applied in the erection of buildings and tenements on the land of the body corporate, or in the alteration, addition, or improvement of any 55 60

Application of mortgage moneys.

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building now and from time to time hereafter standing and being upon such land.

7. The body corporate is hereby empowered to lease by public auction or tender the said pieces of land or any part thereof or any buildings thereon, and also any other real or personal property which such body corporate may from time to time hereafter acquire, either by gift, purchase, or otherwise, and for any term not exceeding twenty-one years, or any less period than a year, to take effect in possession and not in reversion, at such rents and under and subject to such powers, provisoes, covenants, and conditions, as such body corporate may determine.

Power to lease for not exceeding twenty-one years.

8. No money shall be borrowed by mortgage or debenture, and no lease for any term exceeding five years shall be effected, except with the consent of a majority of the members of the body corporate who shall be present at a meeting to be held in the Town of Havelock, which meeting shall be convened by notice advertised for three consecutive times in a newspaper circulating in the Town of Havelock; such notice shall specify the business to be transacted at the meeting, and shall fix a time and place for the holding of such meeting, such time not being less than one month from the first of such advertisements. A like notice shall be delivered or sent through the post, addressed to each member of the body corporate residing in the Town of Havelock, or District of Waitahuna.

Consent of majority of members present at a meeting necessary to the borrowing of any money by mortgage or debenture, and to effect lease.

9. The body corporate shall apply the rents, profits, and annual income, after paying the interest upon money borrowed and the expenses of management, in or towards the objects and purposes of the body corporate, and further, the proceeds arising from any sale of the personal estate (other than investments arising from the sale of real estate) may be applied in a similar manner.

Application of rents, profits, and annual income.

SCHEDULE.

Schedule.

ALL those several parcels of land in the Provincial District of Otago, situate in the Town of Havelock, and containing by admeasurement in the whole two acres one rood and four poles, more or less, being Sections 4, 5, 6, and 7, Block XIX., Sections 3, 4, and 5, Block XX., and Sections 3, 4, and 5, Block XXVII., on the map of the said town, as the same are described in Crown grants, numbered respectively 14095, 14096, and 14097, to the Superintendent of Otago (in trust) for an endowment for an Athenæum at Havelock, and dated 30th October, 1872, and are delineated respectively on the record map of the Town of Havelock, deposited in the Survey Office, Dunedin.