



DUNEDIN DRILL SHED RESERVE MANAGEMENT ORDINANCE 1871.

IN THE THIRTY-FOURTH AND THIRTY-FIFTH YEARS OF THE REIGN OF HER MAJESTY
QUEEN VICTORIA.

SESSION XXIX., No. 339.

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AN ORDINANCE *to provide for the Management of the Drill Shed Reserve* Title.
at Dunedin in the Province of Otago.

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON, 20TH JULY, 1871.]

WHEREAS the parcels of land particularly described in the first and third Schedules hereto have under and by virtue of the "Public Reserves Act 1854" and the "Public Reserves Act Amendment Act 1862" been granted by the Governor of New Zealand in the name and on behalf of Her Majesty to the Superintendent of Otago and his successors and are now vested in him and them upon trust for public purposes: And whereas it is expedient that the area or parcel of land particularly described in the third schedule hereto which is part of a parcel of land vested in the Superintendent of the said Province upon trust as a site for the First or Principal Church of the Presbyterian Church of Otago be exchanged for another piece or parcel of land more convenient for the purpose specified and that the said land described in the said schedule be granted and applied for the purpose after-mentioned: And whereas the Provincial Council of Otago has passed a resolution recommending the Superintendent of the said Province to make a reserve of the land particularly described in the second schedule hereto for the purpose after-mentioned: And whereas by the "Public Reserves Act Amendment Act 1862" it is provided that it shall be lawful for the Superintendent and Provincial Council of any Province by any Act or Ordinance to be from time to time duly passed in that behalf to direct and declare that any lands vested in the Superintendent of any Province under the provisions of the "Public Reserves Act 1854" upon trust for any public purposes shall be transferred to and vested in and held by any Corporation commission or other person or persons having corporate succession to be named in such Act or Ordinance in trust for the like or for any other public purpose to be specified and declared in such Act or Ordinance in such manner and with such powers of lease management and disposition over the

same and over all rents issues profits and proceeds thereof and other powers provisions and conditions as should in such Act or Ordinance be expressed or declared: And whereas it is expedient to set apart the said parcels of land for the purpose of a Head-Quarters Drill Shed Armoury and Gun Shed being erected thereon for the use of the Volunteers and also to make provision for the management of the said parcels of land in manner hereinafter appearing:

BE IT THEREFORE ENACTED by the Superintendent of the Province of Otago by and with the advice and consent of the Provincial Council thereof as follows:—

Short Title.

1. This Ordinance may be cited and referred to as the “Dunedin Drill Shed Reserve Management Ordinance 1871.”

Trustees of Dunedin Drill Shed incorporated.

2. John Cargill Lieutenant-Colonel of the Otago Militia and Volunteers John Bathgate Major of the First Battalion of the Otago Rifle Volunteers Andrew M'Farland Captain of the Dunedin Artillery Volunteers William Stavely Captain of the Dunedin Naval Volunteers and Nathaniel Young Armstrong Wales Captain of Number One Company of the Dunedin Rifle Volunteers and all such other persons as shall be hereafter appointed members under the provisions of this Ordinance and their successors shall be and they are hereby constituted a corporate body in fact and in law by the name and style of the “Trustees of the Dunedin Head-Quarters Drill Shed” and by that name they and their successors shall have perpetual succession and a common seal with full power and authority by the same name and style to sue and be sued plead and be impleaded defend and be defended in all courts and in all causes and suits at law or in equity whatsoever with power to take purchase and hold to them and to their successors all goods chattels and personal property whatsoever: And also all such lands hereditaments and possessions as may be transferred to and vested in them as a site for a Drill Shed Armoury and Gun Shed or for any other purposes in connection therewith and also to do all other matters and things incidental to or appertaining to a corporate body subject nevertheless to any provisions in this Ordinance contained affecting such powers.

Power to remove and appoint trustees.

3. So often as any person so appointed shall die resign become incapable to act or be removed suspended or absent from the said Province for the space of six consecutive calendar months it shall be the duty of the said Superintendent to appoint by proclamation in the Otago Provincial Government *Gazette* either permanently or temporarily as the occasion may require another or other fit and proper person or persons to be a trustee or trustees in the room or stead of the trustee or trustees so dying resigning becoming incapable or being absent as aforesaid.

Land in schedule vested in trust

4. The said parcel of land described in the first Schedule hereto shall be transferred to and vested in and held by the “Trustees of the Dunedin Head-Quarters Drill Shed” and their successors in trust for the purposes of a Drill Shed Armoury and Gun Shed subject to the powers provisions and conditions herein expressed and declared.

Superintendent authorised to convey.

5. It shall be lawful for the Superintendent to execute and make any conveyance or other assurance for transferring to and vesting in the “Trustees of the Dunedin Head-Quarters Drill Shed” and their successors the lands described in the said first Schedule hereto and every or any part or parts thereof respectively.

Land vested in the trustees.

6. When and so soon as the Superintendent of the said Province has obtained a grant from the Crown of the land particularly described in the second schedule hereto the said land shall be transferred to and vested in and held by the “Trustees of the Dunedin Head-Quarters Drill Shed” and their

successors in trust for the purposes and subject to the powers provisions and conditions hereinbefore and after expressed and declared and it shall be lawful for the Superintendent to execute and make any conveyance or other assurance for transferring to and vesting in the said Trustees and their successors the lands described in the said second schedule hereto and every or any part or parts thereof respectively.

7. It shall be lawful for the Superintendent to execute and make any conveyance or other assurance for transferring to and vesting in the "Trustees of the Dunedin Head-Quarters Drill Shed" and their successors the parcel of land described in the third schedule hereto and every or any part or parts thereof respectively and the said land shall be transferred to and vested in and held by the "Trustees of the Dunedin Head-Quarters Drill Shed" and their successors in trust for the purposes before-mentioned subject to the powers provisions and conditions herein expressed and declared: Provided that before the Superintendent shall execute and make any such conveyance or other assurance as aforesaid there shall be reserved and vested in the said Superintendent upon trust as an addition to the land already vested in him upon trust as a site for the First or Principal Church of the Presbyterian Church of Otago being reserve numbered four in the plan of the town of Dunedin an equivalent part of the land adjoining to the said reserve in lieu of the said parcel of land described in the third schedule hereto.

8. It shall be lawful for the "Trustees of the Dunedin Head-Quarters Drill Shed" hereinafter referred to as the "Trust" to set apart a sufficient portion of the said parcels of land as and for the purposes of a Drill Shed and other buildings connected with Volunteer purposes and from time to time to vary and alter the portion which may for the time being be set apart and to set apart another portion of the said portion of land for the said purposes in lieu thereof.

9. It shall be lawful for the "Trust" by deed under their corporate seal to lease from time to time at such rent and on such conditions as they may think reasonable the whole or any part of the said parcels of land specified in the said Schedule hereto not required for the purposes of a Drill Shed and other buildings connected with Volunteer purposes for any term or terms of years not exceeding twenty-one years at any one time.

10. All moneys received by the "Trust" for the rents issues and profits of the said parcels of land shall after deducting therefrom all necessary expenses incurred in the management thereof be applied in and towards the erection and maintenance of a building to be used as a Drill Shed and other necessary buildings upon the said parcels of land and generally in and towards the support and encouragement of the Volunteer corps in Dunedin and for such other purposes connected with the Volunteer force as the "Trust" may from time to time determine to apply the same.

11. The "Trust" shall keep accurate accounts of all sums of money received for rents issues and profits on account of the said parcels of land and of all costs charges expenses and disbursements in connection with the management and maintenance thereof and on the thirty-first day of March in every year or within one week thereafter the "Trust" shall prepare accounts and a balance sheet showing the receipts and disbursements of the "Trust" during the previous year and the actual financial state of the "Trust" on the thirty-first day of March in that year and such accounts and balance sheet shall be forwarded in duplicate to the Superintendent who shall cause the same to be forwarded for examination by the Provincial Auditor in manner described by the "Provincial Audit Act 1866" and the Provincial Auditor is hereby required and empowered to examine and audit such accounts and balance sheet and such balance sheet shall be published

in the Government *Gazette* of the Province immediately after the same shall have been so audited.

Trust to make rules.

12. It shall be lawful for the "Trust" and they are hereby authorised and empowered from time to time to make and alter rules for regulating their own proceedings and for prescribing the conditions on which the Drill Shed and appurtenances shall be occupied and used.

FIRST SCHEDULE.

All that area in the Province of Otago containing by admeasurement thirty-nine (39) poles more or less situate in the City of Dunedin being section numbered ten (10) block fifteen (XV) on the map of the said City bounded towards the north-west by sections numbered nine (9) three hundred and twenty (320) links towards the north-east by reserve numbered four (4) one hundred and thirty-one (131) links towards the south-east by reserve numbered four (4) and Crown lands two hundred and twenty (220) links and towards the south-west by Dowling street ninety-three (93) links.

SECOND SCHEDULE.

All that area in the Province of Otago containing by admeasurement eighteen (18) poles more or less situate in the City of Dunedin being portion of Crown lands between reserve numbered four (4) and High street bounded towards the north by reserve numbered four (4) one hundred and fifty (150) links towards the north-east by Crown lands one hundred and twenty-nine (129) links towards the south-east by High street seventeen (17) links towards the south-west by Dowling street two hundred (200) links and towards the north-west by section numbered ten (10) block fifteen (XV) fifteen (15) links.

THIRD SCHEDULE.

All that area in the Province of Otago containing by admeasurement twenty (20) poles more or less situate in the City of Dunedin being part of reserve numbered four (4) block fifteen (XV) on the map of the said City bounded towards the north-west by section numbered ten (10) two hundred and five (205) links towards the north-east by other part of the said reserve numbered four (4) one hundred and eighty-one (181) links and towards the south by Crown lands one hundred and fifty (150) links.

DUNEDIN, NEW ZEALAND :

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