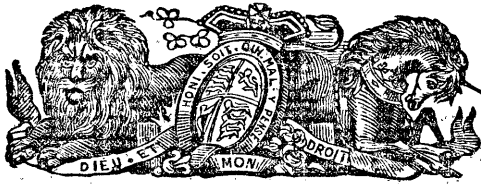


*Disallowed P. G. Gayetto  
No. 233*

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## DUNEDIN MUNICIPAL ESTATE ORDINANCE, 1862.

IN THE TWENTY-SIXTH YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA.

SESSION XVI., No. 98.

### ANALYSIS :

Preamble.  
1. Re-enacting the Local Municipal Estate Ordinance, 1857. | 2. Appropriation of Monies raised out or from the Estate.  
3. Short Title.

AN ORDINANCE for Re-enacting "*An Ordinance constituting as an* Title  
*Estate for purposes of Public Utility to the Town of Dunedin*  
*the Local Municipal Estate reserved by the New Zealand*  
*Company's Terms of Purchase.*"

**W**HEREAS by an Ordinance passed by the Superintendent and Provincial Council of the Province of Otago intituled the "Local Municipal Estate Ordinance 1857" it is *inter alia* enacted that subject to the provisions of the said Ordinance the Superintendent of the said Province and his Successors in office shall hold the lands specified and described in the Schedule to the said Ordinance annexed upon trust for purposes of Public Utility to the town of Dunedin and its Inhabitants and that it shall be

lawful from time to time to specify particularize and prescribe such purposes in any Ordinance of the Superintendent and Provincial Council duly passed in that behalf : And that the management and administration of the said Lands shall be carried on and conducted by the Town Board of Dunedin subject to the provisions of any Ordinance duly passed or to be passed from time to time in that behalf by the Superintendent and Provincial Council : And that the said Lands or any part thereof shall not be alienated by way of sale exchange or mortgage or by lease for any longer period than twenty-one years except by the authority of some Ordinance of the Superintendent and Provincial Council in that behalf duly passed : Provided always that the money or proceeds arising from any such sale shall forthwith be applied in the purchase of other lands to be vested in the Superintendent of the Province of Otago and his Successors in office upon trust for the same purposes as the lands sold were so vested : And that all the rents issues profits and proceeds arising from the aforesaid lands and from the disposal and occupation thereof shall be from time to time paid and accounted for to the Treasurer of the said Town Board and shall be appropriated to the purposes aforesaid subject to the provisions of the Ordinance now in recital and any other Ordinance of the Superintendent and Provincial Council duly passed in that behalf :

And whereas by the Public Reserves Act Amendment Act 1862 it is enacted that the Superintendent and Provincial Council of any Province may by any Act or Ordinance to be from time to time duly passed in that behalf direct and declare that any Lands vested or which may hereafter be 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 Commissioners or other person or persons having corporate succession to be named in such Act or Ordinance for any other public purposes 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 provisoes and conditions as shall in such Act or Ordinance be expressed or declared :

And whereas the before-recited provisions of the said Local Municipal Estate Ordinance 1857 have been deemed to be at variance with the Public Reserves Act 1854 and doubts have been expressed whether the said provisions be not in consequence inoperative : And whereas in virtue of the before-recited Public Reserves Act Amendment Act 1862 all such doubts will be removed by re-enacting the aforesaid provisions in the said Local Municipal Estate Ordinance contained ;

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

1. The before-recited provisions contained in the Local Municipal Estate Ordinance 1857 are hereby re-enacted and all action taken upon and in pursuance of the said Ordinance is hereby confirmed.

Re-enacting the Local Municipal Estate Ordinance, 1857

2. All monies raised under the authority of this Ordinance and of an Ordinance passed by the Superintendent and Provincial Council of Otago intituled "The Dunedin Municipal Loan Ordinance 1862" after payment thereof of the expenses attending the execution of the provisions of the said Ordinances respectively shall be applied under the management of the Town Board of Dunedin for the purposes specified in the Grants of the Lands which have been granted by the Crown as Reserves for purposes of Public Utility to the Town of Dunedin and its Inhabitants and are specified in the said Local Municipal Estate Ordinance 1857 and the said Dunedin Municipal Loan Ordinance.

Appropriation of Monies raised on or from the Estate

3. This Ordinance shall be termed and may be cited and referred to as "The Dunedin Municipal Estate Ordinance 1862."

Short Title

Passed the Provincial Council, this third day of December one thousand eight hundred and sixty-two.

CHARLES SMITH,  
*Clerk of Council.*

ALEX. RENNIE,  
*Speaker.*

Assented to on behalf of the Governor, at Dunedin, this nineteenth day of December, one thousand eight hundred and sixty-two.

J. L. C. RICHARDSON,  
*Superintendent of the Province of Otago.*