



WINTON RACECOURSE RESERVE MANAGEMENT ORDINANCE 1873.

IN THE THIRTY-SEVENTH YEAR OF THE REIGN OF HER MAJESTY
QUEEN VICTORIA.

SESSION XXXII. No. 411.

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AN ORDINANCE to provide for the Management of the Racecourse Reserve at Title
Winton in the Province of Otago.

[RESERVED FOR THE SIGNIFICATION OF THE GOVERNOR'S PLEASURE THEREON—30TH JULY 1873]

WHEREAS the parcel of land particularly described in the Schedule Preamble hereto has 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 Southland and his successors: And whereas the said parcel of land is by virtue of the provisions of the "Otago and Southland Union Act 1870" now vested in the Superintendent of the Province of Otago upon trust for public purposes: 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 make provision for the management of the said parcel 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:—

1. This Ordinance may be cited and referred to as the "Winton Short Title Racecourse Reserve Management Ordinance 1873."

Trustees of Winton Racecourse incorporated

2. John Thomson the elder of Winton settler Thomas McWilliam of Winton settler and Frederick Richard White of Winton hotel-keeper and all such other persons as shall be hereafter appointed trustees 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 Winton Racecourse" 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 and hereditaments and possessions as may be transferred to and vested in them as a site for a Racecourse 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 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 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 Schedule hereto shall be transferred to and vested in and held by the "Trustees of the Winton Racecourse" and their successors in trust for the purposes of a Racecourse 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 Winton Racecourse" and their successors the lands described in the said Schedule hereto and every or any part or parts thereof respectively.

Trust may set apart portion of said land as a Racecourse

6. It shall be lawful for the "Trustees of the Winton Racecourse" hereinafter referred to as the "Trust" to set apart a sufficient portion of the said parcel of land as and for the purposes of a Racecourse 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 parcel of land as a Racecourse in lieu thereof.

Trust may lease surplus land.

7. 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 parcel of land specified in the said Schedule hereto not required for the purposes of a Racecourse for any term or terms of years not exceeding seven years at any one time.

Application of moneys

8. All moneys received by the "Trust" for the rents issues and profits of the said parcel of land shall after deducting therefrom all necessary expenses incurred in the management thereof be applied in and towards the cultivation and improvement of the said parcel of land and in rendering any part thereof that may be set apart as a Racecourse suitable for that purpose and in and towards providing prizes for races to be run on the said Racecourse and generally in and towards the encouragement of the breeding of horses and for such other purposes as the "Trust" may from time to time determine to apply the same.

9. The "Trust" shall keep accurate accounts of all sums of money received for rents issues and profits on account of the said parcel 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 keep accounts and furnish balance sheets to be audited

10. 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 for prescribing the conditions on which the public shall be permitted to have access to the said Racecourse upon any day when the same shall be used for racing purposes for regulating the price for admission on such occasions for excluding the public from such parts of the said parcel of land as it may be found necessary or desirable to improve or lay down in artificial grasses for regulating the charges that may be made for the occupation of any portion of the said Racecourse for the erection of booths or stalls for the sale of refreshments merchandise goods or chattels and for the admission of horses and vehicles to the said Racecourse.

Trust may make rules

SCHEDULE.

All that area in the Province of Otago containing by admeasurement two hundred and fifteen (215) acres three (3) roods and twenty-two (22) perches more or less being sections numbered respectively two (2) and three (3) block four (IV) on the Map of Winton Hundred as the same are more particularly described in the Crown Grant therefor bearing date the thirty-first day of January one thousand eight hundred and seventy.

DUNEDIN, NEW ZEALAND :

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