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PROVINCE OF TARANAKI.

TOWN BOARD OF NEW PLYMOUTH ENDOWMENT ORDINANCE, 1871.

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

SESSION XX., No. 1.

AN ORDINANCE TO REPEAL THE "TOWN BOARD OF NEW PLYMOUTH ENDOWMENT ORDINANCE 1867" AND IN LIEU THEREOF TO VEST THE REVENUE ARISING OUT OF THAT PORTION OF THE EDUCATIONAL RESERVES KNOWN AS THE RACECOURSE IN THE TOWN BOARD OF NEW PLYMOUTH.

ANALYSIS:

Title.	fares within Racecourse.
Preamble.	5. Appropriation of rents.
1. "Town Board of New Plymouth Endowment Ordinance 1867" repealed.	6. Town Board empowered to raise money on mortgage of rents.
2. Lands described in Schedule to be held in trust for Town of New Plymouth.	7. Loans raised on certain sections under the "Town Board of New Plymouth Endowment Ordinance 1867" to be a first charge on the revenue derivable from the said Racecourse.
3. Power to Superintendent to let lands.	8. Short Title.
4. Conditions on which lessee may fence in streets and thorough-	Schedule.

AN ORDINANCE to repeal the "Town Board of New Plymouth Endowment Ordinance 1867" and in lieu thereof to vest the revenue arising out of that portion of the Educational Reserves known as the Racecourse in the Town Board of New Plymouth.

WHEREAS by deed of grant bearing date the 20th day of August 1858 the un-alienated lands within the Town of New Plymouth are vested in the Superintendent upon trust as an endowment

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for public schools and general educational purposes And whereas by an Act of the General Assembly of New Zealand intituled "An Act for regulating the management of certain lands reserved for public purposes in the several Provinces of New Zealand" and passed in the first session thereof it is provided that the specific purposes for which any such land so granted within any Province shall be held may be changed and the same lands may be appropriated to other and different purposes of public utility for the public service of such Province with the authority of an Act or Ordinance of the Provincial Council of such Province And whereas by an Ordinance of the Provincial Council of the Province of Taranaki passed in the fifteenth session thereof and intituled the "Town Board of New Plymouth Endowment Ordinance 1867" the revenue derived from certain sections in the Town of New Plymouth more fully described in the Schedule to the said Ordinance being a portion of the Educational Reserve of the Province of Taranaki is vested in the Town Board of New Plymouth And whereas it is deemed expedient to repeal the said "Town Board of New Plymouth Endowment Ordinance 1867" and to make other provisions in lieu thereof BE it therefore enacted by the Superintendent of the Province of Taranaki with the advice and consent of the Provincial Council thereof as follows :—

"Town Board of New Plymouth Endowment Ordinance 1867" repealed.

1. The "Town Board of New Plymouth Endowment Ordinance 1867" is hereby repealed.

Lands described in Schedule to be held in trust for Town of New Plymouth.

2. The sections included in the piece of land known as the Racecourse the boundaries whereof are described in the Schedule hereto and comprised in the said recited deed of grant excepting always such portions of the said Racecourse as have been dedicated to the public as public streets and thoroughfares shall henceforth be held by the Superintendent of the Province of Taranaki upon trust as an endowment to the Town of New Plymouth for the purpose of improving the streets of the said Town.

Power to Superintendent to let lands.

3. It shall be lawful for the Superintendent to let the said land for any term not exceeding twenty-one years on such conditions as may be agreed upon as to rent and improvements and as to the right of the public to use the said land at stated periods for cricketing and horse racing.

Conditions in which lessee may fence in streets and

4. It shall be lawful for the Superintendent with the advice and consent of the Provincial Council to sanction the fencing in by the lessee of such streets and thoroughfares within the

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said Racecourse as shall not be required for the convenience of the public provided always that the said lessee shall on the notification of the Superintendent throw open any street or thoroughfare within one week from the date of the receipt of such notification bearing the signature of the Superintendent.

thorough-fares within Racecourse.

5. All rents arising from the said lands 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 this Ordinance and of any other Ordinance of the Superintendent and Provincial Council duly passed in that behalf and may be recovered in a summary way at the suit of the said Treasurer of the said Town Board.

Appropriation of rents.

6. It shall be lawful for the said Town Board to raise money by way of mortgage on the rents derived from the said lands for the purposes herein named.

Town Board empowered to raise money on mortgage of rents.

7. Nothing contained in this Ordinance shall affect the validity of loans raised by way of mortgage on certain sections included in the Racecourse under the herein repealed "Town Board of New Plymouth Endowment Ordinance 1867" and any mortgage so given on the security of such sections shall be a first charge on the revenue of the Town Board derivable from the said Racecourse.

Loans raised on certain sections under the Town Board of New Plymouth Endowment Ordinance 1867 to be a first charge on the revenue derivable from the said Racecourse.

8. The short title of this Ordinance shall be the "Town Board of New Plymouth Endowment Ordinance 1871."

Short Title.

SCHEDULE.

Schedule.

All that parcel of land in the Town of New Plymouth containing by admeasurement thirty-six (36) acres three (3) roods more or less bounded towards the north by Wakefield-street 404 links, a line from a point 100 links south-west of the north corner of allotment No. 1801 250 links, parts of allotments Nos. 1801, 1802, 1803, 1804, 1805, 1775, 1776, 1777, and Ridge Lane 890 links and John-street 839 links. Towards the east by Eliot-street 1755 links, towards the south by allotment D 2565 links, and towards the west by allotment No. 1266, 255 links, a line from the north corner of the said allotment to the east corner of allotment No. 1195 822 links, and by the last named allotment 205 links, and also all that other parcel of land in the said Town containing by admeasurement thirteen (13) acres thirteen (13) perches more or less bounded towards the north by Hendrie-street 760 links, towards the east by allotment F 550 links, 9 links, 795 links, and 40 links, allotment No. 1927 210 links, and 205 links, and allotment E 93 links, and 345 links, towards the south by allotments E and D 408 links, and towards the west by Eliot-street 1895 links.

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WM. M. CROMPTON,
Speaker.

Passed the Provincial Council this
twenty-seventh day of July one
thousand eight hundred and
seventy-one.

JAMES B. LAWSON,
Clerk to the Provincial Council.

This Ordinance was presented to me on the twenty-eighth day
of July one thousand eight hundred and seventy-one and I
hereby declare that I reserve the same for the signification
of the Governor's pleasure thereon.

FRED. A. CARRINGTON,
Superintendent.

I hereby assent to this Ordinance this twelfth day of September
one thousand eight hundred and seventy-one.

G. F. BOWEN,
Governor.