

Cromwell Racecourse Reserve Act 1876

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An Act to constitute a Board of Trustees, and to vest in it certain Public Reserves at Cromwell, in the Province of Otago, for the purposes of a Racecourse.

Preamble

WHEREAS a Crown grant of the land described in the Schedule hereto has, under The Public Reserves Act 1854, been made to the Superintendent of Otago, in trust, as a racecourse for

the inhabitants of Cromwell: And whereas it is expedient to vest the said lands in a Board of Trustees for the purpose of a public racecourse and for other purposes:

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1 Short Title

The Short Title of this Act shall be The Cromwell Racecourse Reserve Act 1876.

2 Land in Schedule vested in Board of Trustees

On the passing of this Act, the land described in the Schedule hereto shall, without any conveyance, be vested in a Board of Trustees (hereinafter called **the Board**) consisting of the following persons:—

- John Allen Preshaw, David Anderson Jolly, John Marsh, James Dawkins, and James Taylor, and shall be held by them for the purposes of this Act.

3 Board incorporated

The Board shall be a corporate body by the name of **The Trustees of the Cromwell Racecourse**, with perpetual succession and a common seal, and with full power and authority by that name to sue and be sued in all Courts whatsoever, and shall be capable in law for the purposes of and subject to this Act to do and suffer all such acts and things as bodies corporate may do and suffer, with power to take and hold all such lands tenements or hereditaments as may be in any manner vested in the Board, either as a site for a racecourse or for any other purpose in connection therewith.

4 Vacancies

If any member of the Board shall be directly or indirectly concerned in any contract with the Board, or shall receive or be entitled to receive any money or emolument for any work done or to be done for the Board, or shall be absent from the

province for the space of twelve consecutive calendar months, or shall be adjudicated a bankrupt or insolvent, or take the benefit of or be brought under the operation of any Act relating to bankrupt or insolvent debtors, or shall become a public defaulter, or shall become convicted of felony, his seat in such Board shall become vacant.

5 Resignations

It shall be lawful for any member, by writing under his hand addressed to the Governor, to resign his seat in the Board, and upon the acknowledgment of the receipt by the Governor of such writing, the seat of such member shall become vacant.

6 Vacancies filled up by Governor

If a vacancy occurs in the Board through death or through any of the reasons aforesaid, it shall be lawful for the Governor to appoint a fit and proper person to fill the vacancy.

7 Board may set apart portion of land as a site for a racecourse

It shall be lawful for the Board 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.

8 Board may lease lands

It shall be lawful for the Board, 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, and on conditions not inconsistent with the purposes of the said reserve.

9 Proceeds of land to be expended in improvements

All moneys received by the Board 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: Provided that nothing herein contained shall have the effect of appropriating to such purpose moneys received as entrance fees or for stands and booths in connection with any races upon such lands.

10 Board to keep accounts

The Board shall keep accurate accounts of all sums of money received for rents issues and profits on account of the said 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 Board shall prepare accounts and a balance sheet showing the receipts and disbursements of the Board during the previous year, and the actual financial state of the Board on the thirty-first day of March in that year, and such accounts and balance sheet shall be forwarded to the Governor, who may, if he shall think fit, order such accounts and balance sheet to be published in the Provincial *Gazette*.

11 Board may make rules

It shall be lawful for the Board, and they are hereby authorized 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, and 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 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.

12 Trust may be dissolved

The Governor may, on the petition of the majority of the members for the time being of the said Board of Trustees, or of two-thirds of the ratepayers of the Town of Cromwell, dissolve the said Board; and upon such dissolution the said lands shall vest in the Corporation of the said town in trust for recreation purposes.

Schedule
There is no title

All that parcel of land in the Province of Otago, in the Colony of New Zealand, situate in the Cromwell District, being Section numbered 17, Block III, containing by admeasurement 300 acres, more or less. Bounded towards the North-west by Crown lands, 6,000 links; towards the North-east by Crown lands, 5,000 links; towards the South-east by a road line or by Crown lands, 6,000 links; towards the South-west by Crown lands, 5,000 links.