

Session XXXV 1871 (July to August 1871)

1. Diversion of Roads, Special No 1 Ordinance 1871

Whereas by an Act of the General Assembly of New Zealand intituled “The Highways and Watercourses Diversion Act 1858” it is enacted that it shall be lawful for the Superintendent of any Province with the advice and consent of the Provincial Council thereof by any law or Ordinance to be made or ordained for that purpose to authorise and empower the Superintendent to divert or stop up any public street road highway or thoroughfare in any such Province and also to exchange the land over which any such public street road highway or thoroughfare was laid out or passed And also that it should be lawful for the Governor in the name and on behalf of Her Majesty to make and execute Crown Grants of any land which should be so sold exchanged or disposed of.

And whereas by an Act of the General Assembly of New Zealand intituled “The Provincial Council Powers Extension Act 1865” it is enacted that it shall be lawful for the Superintendent and Provincial Council of any Province and notwithstanding the restriction contained in the Tenth Subsection of the Nineteenth Section of the Constitution Act to ordain or pass any Law or Ordinance which but for such restriction might have been ordained or passed by such Superintendent and Council affecting any part of the Waste Lands of the Crown within the Province which then was or thereafter should be a public street road highway or thoroughfare.

And whereas it is for the public benefit that the parcel of land mentioned and described in the Schedule to this Ordinance and delineated on the plan hereto annexed and thereon coloured Green should cease to be a public road.

Be it therefore enacted by the Superintendent of the said Province with the

advice and consent of the Provincial Council thereof as follows:

1. Public road passing over parcel of land described in Schedule shall be closed up and cease to be Public Road.

From and after the passing of this Ordinance the Public Road passing over the parcel of land described in the Schedule hereto and coloured Green on the plan hereto annexed shall be closed up and shall cease to be a public road.

2. Title.

This Ordinance shall be intituled and may be cited as "The Diversion of Roads Special Ordinance No. 1 1871."

Schedule.

All that Piece or Parcel of Land one chain wide containing by admeasurement one acre one rood and twenty-four perches more or less being the road separating sections 4477 and 4913 and extending from the intersection of the North Rakaia and Taumutu Junction road by Jollie's road to the northernmost corner of section 4038 and more particularly delineated and described by the plan hereunto annexed and coloured green thereon.

2. Diversion of Roads, Special No 2 Ordinance 1871

Whereas by an Act of the General Assembly of New Zealand intituled "The Highways and Watercourses Diversion Act 1858" it is enacted that it shall be lawful for the Superintendent of any Province with the advice and consent of the Provincial Council thereof by any law or Ordinance to be made or ordained for that purpose to authorise and empower the Superintendent to divert or stop up any public street road highway or thoroughfare in any such Province and also to exchange the land over which any such public street road highway or thoroughfare was laid out or passed And also that it should be lawful for the Governor in the name and on behalf of Her Majesty to make and execute Crown Grants of any land which should be so sold exchanged or disposed of.

And whereas by an Act of the General Assembly of New Zealand intituled "The Provincial Council Powers Extension Act 1865" it is enacted that it shall be lawful for the Superintendent and Provincial Council of any Province and notwithstanding the restriction contained in the Tenth Subsection of the Nineteenth Section of the Constitution Act to ordain or pass any Law or Ordinance which but for such restriction might have been ordained or passed by such Superintendent and Council affecting any part of the Waste Lands of the Crown within the Province which then was or thereafter should be a public street

road highway or thoroughfare.

And whereas it is for the public benefit that the parcels of land mentioned and described in the Schedule A to this Ordinance and delineated on the Plan hereto annexed and thereon coloured Pink should become a Public Highway in lieu of the parcels of land mentioned and described in The Schedule B to this Ordinance and delineated on the Plan hereto annexed and thereon coloured Green and Yellow and that the said last-mentioned parcels of land should cease to be a Public Road.

And whereas Samuel Bealey has conveyed the parcels of land mentioned in Schedule A to this Ordinance to the Superintendent of the Province of Canterbury and his successors upon trust for a Public Highway and upon the treaty for the said conveyance it was agreed that the parcel of land mentioned in the Schedule B to this Ordinance and coloured Yellow on the Plan hereto annexed should be given to the said Samuel Bealey in exchange for the parcels of land conveyed by him as aforesaid.

Be it therefore enacted by the Superintendent of the said Province with the advice and consent of the Provincial Council thereof as follows:

1. Parcels of land described in Schedule A to be public highway.

From and after the passing of this Ordinance the parcels of land so conveyed as aforesaid and more particularly described in the Schedule A hereto and coloured Pink on the Plan hereto annexed shall be and remain for ever a Public Highway.

2. Public road passing over parcels of land described in Schedule B shall be closed up.

From and after the passing of this Ordinance the Public Road passing over the parcels of land described in the Schedule B hereto and coloured Green and Yellow on the Plan hereto annexed shall be closed

3. Parcel of land described in Schedule B and coloured yellow on plan to be conveyed to Samuel Bealey.

The parcel of land mentioned and described in the Schedule B hereto and coloured Yellow on the Plan hereto annexed shall be granted to the said Samuel Bealey his heirs and assigns for ever in exchange for the parcels of land conveyed by him as aforesaid.

4. Title.

This Ordinance shall be intituled and may be cited as "The Diversion of Roads Special Ordinance No. 2 1871."

Schedule A.

All that Piece or Parcel of Land one chain wide containing by admeasurement three acres three roods and six perches more or less being part of Rural

Sections numbered 6845 7441 and 10108 on the Map of the Chief Surveyor of the Province of Canterbury setting out and describing the rural land in the Malvern district the centre line commencing at a point on the north-western boundary of the latter section seven chains sixty links distant from the south-western corner thereof and extending in an easterly and south-westerly direction a distance on the average of thirty-seven chains ninety links to the south-east corner of the before-mentioned sections 6845 and 7441 and more particularly delineated and described by the plan hereunto annexed and coloured pink thereon.

All that Piece or parcel of Land one chain wide containing by admeasurement two roods and thirty-two perches more or less being part of rural section numbered 10608 on the Map of the Chief Surveyor of the Province of Canterbury setting out and describing the rural land in the Malvern district the centre line commencing at a point on the north-western boundary of the said section situate five chains forty links from the south-western corner thereof and following a straight line in an easterly direction a distance of seven chains crossing the south-eastern boundary of the said section at a point being six chains seventy links from its south-eastern corner being bounded on the westward and eastward respectively by the north-western and south-eastern boundary lines of the said section 10608 and more particularly delineated and described by the plan hereunto annexed and coloured pink thereon.

All that Piece or Parcel of Land one chain wide containing by admeasurement two roods and twenty perches more or less being part of rural section numbered 10609 on the Map of the Chief Surveyor of the Province of Canterbury setting out and describing the rural land in the Malvern district the centre line commencing at a point on the north-western boundary of the said section situate three chains twenty links from the south-western corner thereof and following a straight line in an easterly direction a distance of six chains thirty links crossing the south-eastern ,boundary of the said section at a point being four chains forty links from its south-eastern corner being bounded on the westward and eastward respectively by the north-western and south-eastern boundary lines of the aforesaid section 10609 and more particularly delineated and described, by the plan hereunto annexed and coloured pink thereon.

Schedule B.

All that Piece or Parcel of Land one chain wide containing by admeasurement two acres one rood and thirty-five perches more or less being that portion of Bealey's Road twenty-four chains seventy links in length extending from the road forming the south-eastern boundary of section 10610 to the road passing through section 10103 and more particularly delineated and described by the plan hereunto annexed and coloured Green thereon.

All that Piece or Parcel of Land one chain wide containing by admeasurement four acres two roods and four perches more or lees being that portion of Bealey's Road forty-five chains thirty links in length extending from the road forming the south-eastern boundary of section 10610 to a line being in continuation of the north-western boundary of section 10609 and more particularly delineated and described by the plan hereunto annexed and coloured yellow thereon.

All that Piece or Parcel of Land one chain wide containing by admeasurement one acre two roods four perches more or less being that portion of Bealey's Road fifteen chains thirty links in length extending westerly from the continuation of the north-western boundary line of section 1069 to the proposed new road through sections 10608 and 10609 and more particularly delineated and described by the plan hereunto annexed and coloured Green thereon.

3. The Diversion of Roads Special Ordinance No. 3 1871.

[9th August 1871.]

Whereas by an Act of the General Assembly of New Zealand intituled "The Highways and Watercourses Diversion Act 1858" it is enacted that it shall be lawful for the Superintendent of any Province with the advice and consent of the Provincial Council thereof by any law or Ordinance to be made or ordained for that purpose to authorise and empower the Superintendent to divert or stop up any public street road highway or thoroughfare in any such Province and also to exchange the land over which any such public street road highway or thoroughfare was laid out or passed And also that it should be lawful for the Governor in the name and on behalf of Her Majesty to make and execute Crown Grants of any land which should be so sold exchanged or disposed of.

And whereas by an Act of the General Assembly of New Zealand intituled "The Provincial Council Powers Extension Act 1865" it is enacted that it shall be lawful for the Superintendent and Provincial Council of any Province and notwithstanding the restriction contained in the Tenth Subsection of the Nineteenth Section of the Constitution Act to ordain or pass any Law or Ordinance which but for such restriction might have been ordained or passed by such Superintendent and Council affecting any part of the Waste Lands of the Crown within the Province which then was or thereafter should be a public street road highway or thoroughfare.

And whereas it is for the public benefit that the parcels of land mentioned and described in the Schedule A to this Ordinance and delineated on the Plan hereto annexed and thereon coloured Pink should become a Public Highway in lieu of the parcel of land mentioned and described in the Schedule B to this Ordinance

and delineated on the Plan hereto annexed and thereon coloured Green and that the said last-mentioned parcel of land should cease to be a Public Road.

And whereas Amos Green hath conveyed the parcels of land mentioned and described in the Schedule A to this Ordinance to the Superintendent of the Province of Canterbury and his successors upon trust for a Public Highway and upon the treaty for the said conveyance it was agreed that the parcel of land mentioned and described in the Schedule B to this Ordinance should be given to the said Amos Green in exchange for the parcels of land conveyed by him as aforesaid.

Be it therefore enacted by the Superintendent of the said Province with the advice and consent of the Provincial Council thereof as follows:

1. Parcels of land described in Schedule A. shall be Public Highway.

From and after the passing of this Ordinance the parcels of land conveyed as aforesaid by the said Amos Green and more particularly described in the Schedule A hereto and coloured Pink on the Plan hereto annexed shall be and remain for ever a Public Highway.

2. Public Roads passing over parcel of land described in Schedule B shall be closed up, and said parcel of land granted to Amos Green.

From and after the passing of this Ordinance the Public Road passing over the parcel of land described in the Schedule B hereto and coloured Green on the Plan hereto annexed shall be closed up the said parcel of land shall be granted to the said Amos Green his heirs and assigns for ever in exchange for the parcels of land conveyed by him as aforesaid.

3. Title.

This Ordinance shall be intituled and may be cited as “The Diversion of Roads special Ordinance No. 3 1871.”

Schedule A.

All that Piece or Parcel of Land containing by admeasurement one rood and twenty-seven perches more or less being part of rural section numbered 1832 on the Map of the Chief Surveyor of the Province of Canterbury setting out and describing the rural land on Banks Peninsula commencing at a point on the north-west boundary of the said section situate about six chains twenty links from the north-western corner thereof thence following a line in a northerly and easterly direction to the north-west corner of section 5479 thence westerly following the continuation of the road forming the northern boundary of the latter section to the north-west boundary of section 1832 before mentioned and from thence returning along the same to the commencing point and more particularly delineated and described by the plan hereunto annexed and coloured pink thereon.

All that Piece or Parcel of Land one chain wide containing by admeasurement one acre one rood and eight perches more or less being part of rural section numbered 409 on the Map of the Chief Surveyor of the Province of Canterbury setting out and describing the rural land on Banks Peninsula commencing at a point on the north-west boundary of the said section where it is intersected by the southern side of the road passing through section 773 thence following a line in an easterly and south-easterly direction a distance of about fifteen chains to the road separating sections 409 and 1832 thence north-easterly following that road a distance of about one chain fifteen links thence westerly following a line parallel to the first-described boundary and distant one chain therefrom to the road first-mentioned and from thence returning along the same to the commencing point and more particularly delineated and described by the plan hereunto annexed and coloured pink thereon.

Schedule B.

All that Piece or Parcel of Land containing by admeasurement one acre two roods more or less being portions of the roads respectively running through section numbered 409 and dividing that section from section No. 1832 and more particularly delineated and described by the plan hereunto annexed and coloured green thereon.

4. The Diversion of Roads Special Ordinance No. 4 1871.

[9th August 1871.]

Whereas by an Act of the General Assembly of New Zealand intituled "The Highways and Watercourses Diversion Act 1858" it is enacted that it shall be lawful for the Superintendent of any Province with the advice and consent of the Provincial Council thereof by any law or Ordinance to be made or ordained for that purpose to authorise and empower the Superintendent to divert or stop up any public street road highway or thoroughfare in any such Province and also to exchange the land over which any such public street road highway or thoroughfare was laid out or passed And also that it should be lawful for the Governor in the name and on behalf of Her Majesty to make and execute Crown Grants of any land which should be so sold exchanged or disposed of.

And whereas by an Act of the General Assembly of New Zealand intituled "The Provincial Council Powers Extension Act 1865" it is enacted that it shall be lawful for the Superintendent and Provincial Council of any Province and

notwithstanding the restriction contained in the Tenth Subsection of the Nineteenth Section of the Constitution Act to ordain or pass any Law or Ordinance which but for such restriction might have been ordained or passed by such Superintendent and Council affecting any part of the Waste Lands of the Crown within the Province which then was or thereafter should be a public street road highway or thoroughfare.

And whereas it is for the public benefit that the parcels of land mentioned and described in the Schedule A 1 and the Schedule A 2 to this Ordinance and delineated on the Plan hereto annexed and thereon coloured Pink should become a Public Highway in lieu of the parcels of land mentioned and described in the Schedule B 1 and the Schedule B 2 to this Ordinance and delineated on the Plan hereto annexed and thereon coloured Green and that the said last-mentioned parcels of land should cease to be a public road.

And whereas William Guise Brittan and Jane Deans have conveyed the parcel of land mentioned in Schedule A 1 to this Ordinance to the Superintendent of the Province of Canterbury and his successors upon trust for a Public Highway and upon the treaty for the said conveyance it was agreed that the parcel of land mentioned in the Schedule B 1 to this Ordinance should be given to the said William Guise Brittan and Jane Deans in exchange for the parcel of land conveyed by them as aforesaid.

And whereas James Young Deans has conveyed the parcel of land mentioned in Schedule A 2 to this Ordinance to the Superintendent of the Province of Canterbury and his successors upon trust for a Public Highway and upon the treaty for the said conveyance it was agreed that the parcel of land mentioned in the Schedule B 2 to this Ordinance should be given to the said James Young Deans in exchange for the parcel of land conveyed by him as aforesaid.

Be it therefore enacted by the Superintendent of the said Province with the advice and consent of the Provincial Council thereof as follows:

1. Parcels of land described in Schedule A1 and A2 shall be Public Highway.

From and after the passing of this Ordinance the parcels of land so conveyed as aforesaid and more particularly described in the Schedule A 1 and the Schedule A 2 hereto and coloured Pink on the Plan hereto annexed shall be and remain for ever a Public Highway.

2. Public road passing over parcel of land described in Schedule B1, shall be closed up, and said parcel of land shall be granted to William Guise Brittan and Jane Deans.

From and after the passing of this Ordinance the Public Road Public passing over the parcel of land described in the Schedule B 1 hereto and coloured Green on the Plan hereto annexed shall closed up and the said parcel of land shall be granted to the said William Guise and Jane Deans their heirs and assigns for ever in exchange for the parcel of land conveyed by them as aforesaid.

3. Public roads passing over parcel of land described in Schedule B2 shall be closed up, and said parcel of land shall be granted to James Young Deans.

From and after the passing of this Ordinance the Public Road passing over the parcel of land described in the Schedule B hereto and coloured Green on the Plan hereto annexed shall be closed up and the said parcel of land shall be granted to the said James Young Deans his heirs and assigns for ever in exchange for the parcel of land conveyed by him as aforesaid.

4. Title.

This Ordinance shall be intituled and may be cited as "The Diversion of Roads Special Ordinance No. 4 1871."

Schedule A1.

All that Piece or Parcel of Land one chain wide containing by admeasurement two acres and thirty-three perches more or less being part of rural sections Nos. 2667 3162 4864 and 2668 on the Map of the Chief Surveyor of the Province of Canterbury setting out and describing the rural land in the Malvern District the centre line commencing at a point on the western side of the Racecourse Hill and Kowai road situate 10 chains 11 links south of the Homebush and Coal road thence south-westerly following a straight line at an angle of 58 deg. 45 min. with the first-mentioned road a distance of 22 chains 10 links to the Home-bush and Coal road before-mentioned and more particularly delineated and described by the plan hereunto annexed and coloured pink thereon.

Schedule A2.

All that Piece or Parcel of Land one chain wide containing by admeasurement three acres three roods and thirty-two perches more or less being part of rural sections numbered 3985 3838 3839 4010 4011 4116 4117 4118 and 4119 on the Map of the Chief Surveyor of the Province of Canterbury setting out and describing the rural land in the Malvern District commencing at the intersection of the western side of the Homebush and Coal road by the south-eastern boundary of section No. 2668 and running in a southerly direction a distance on the average of about thirty-nine chains fifty-six links to the road before-mentioned and more particularly delineated and described by the plan hereunto annexed and coloured Pink thereon.

Schedule B1.

All that Piece or Parcel of Land one chain wide containing by admeasurement

two acres three roods and thirty-five perches more or less being that portion of the Homebush and Coal road passing through Sections numbered 2667 3162 4864 and 2668 on the Map of the Chief Surveyor of the Province of Canterbury setting out and describing the rural land in the Malvern District and extending from the Racecourse Hill and Kowai road a distance on the average of about twenty-nine chains seventy links and more particularly delineated and described by the plan hereunto annexed and coloured Green thereon.

Schedule B2.

All that Piece or Parcel of Land one chain wide containing by admeasurement three acres two roods and thirty-two perches more or less being that portion of the Homebush and Coal road passing through Sections numbered 3985 3838 3839 4010 4011 4116 4117 4118 and 4119 on the Map of the Chief Surveyor of the Province of Canterbury setting out and describing the rural land in the Malvern District commencing at a point on the eastern side of the proposed new line of road through the above-mentioned sections situate about ten chains eighty links north-east of the westernmost corner of section 2668 running in a southerly direction a distance on the average of about thirty-seven chains till it meets the proposed new line of road above-mentioned and more particularly delineated and described by the plan hereunto annexed and coloured Green thereon.

5. The Reserve No. 461 Ordinance 1871.

[19th September 1871.]

Whereas by grant from the Crown bearing date the eleventh day of May One thousand eight hundred and seventy-one all that piece or parcel of land in the Province of Canterbury in the Colony of New Zealand situate in the Malvern District and containing by admeasurement two hundred and forty acres more or less being Reserve numbered 461 (in red) on the Map of the Chief Surveyor of the Province of Canterbury setting out and describing the rural land in the Malvern District aforesaid was granted unto the Superintendent of the Province of Canterbury and his successors in trust for uses of the Provincial Government and for other public purposes and particularly for a Ferry And whereas it is expedient that the said Superintendent should have power to sell let or otherwise dispose of all or any portion of the parcel of land described in the Schedule hereto being part of the said Reserve.

Be it therefore enacted by the Superintendent of the Province of Canterbury with the advice and consent of the Provincial Council of the said Province as follows:

1. Superintendent may sell, let, or otherwise dispose of parcel of land described in Schedule hereto.

It shall be lawful for the Superintendent of the said Province with the advice and consent of the Executive Council thereof to sell let or otherwise dispose of all or any portion of the parcel of land comprised in the Schedule hereto being part of the said Reserve No. 461.

2. Title.

This Ordinance shall be intituled and may be cited as the "Reserve No. 461 Ordinance."

Schedule.

All that piece or parcel of land, being part of Reserve No. 461 (in red), containing by admeasurement forty acres more or less, bounded on the northward by a line in continuation of the northern boundary of Section 5177 for a distance of five chains; on the westward by the aforesaid section; on the southward by the southern boundary of the Reserve above mentioned; on the eastward by the River Waimakariri, and also by a line drawn from the eastern extremity of the northern boundary so as to include the above quantity.

6. The Reserve No. 738 Ordinance 1871.

[19th September 1871.]

Whereas by Grant from the Crown bearing date the seventh day of February One thousand eight hundred and sixty-eight all that piece or parcel of land in the Province of Canterbury in the Colony of New Zealand situate in the Ashburton District and containing by admeasurement six hundred and seven acres more or less being Reserve numbered 738 (in red) on the Map of the Chief Surveyor of the Province of Canterbury setting out and describing the rural land in the Ashburton District aforesaid was granted unto the Superintendent of the Province of Canterbury and his successors in trust for the endowment of a Classical School And whereas it is expedient that the said Superintendent should have power to sell let or otherwise dispose of all or any portion of the parcel of land described in the Schedule hereto being part of the said Reserve.

Be it therefore enacted by the Superintendent of the Province of Canterbury with

the advice and consent of the Provincial Council of the said Province as follows:

1. Superintendent may sell, let, or otherwise dispose of parcel of land described in Schedule hereto.

It shall be lawful for the Superintendent of the said Province with the advice and consent of the Executive Council thereof to sell let or otherwise dispose of all or any portion of that parcel of land comprised in the Schedule hereto being part of the said Reserve No. 738.

2. Title.

This Ordinance shall be intituled and may be cited as the "Reserve No. 738 Ordinance."

Schedule.

All that piece or parcel of land being part of Reserve No. 738 (in red) containing by admeasurement three hundred and thirty-eight acres three roods and twenty perches more or less commencing at the intersection of the North-eastern boundary of Section No. 6802 by the North-western side of the Road forming the North-western boundary of Section Nos. 6803, 6776, and 6775, thence North-westerly along the aforesaid North-eastern boundary of Section No. 6802 and a line in continuation of the same to the South-eastern boundary of Section No. 8369, following that boundary North-easterly to the Easternmost corner of the said Section, thence North-westerly along the North-eastern boundary of the same a distance of thirty chains, thence North-easterly. and North-westerly following the South-eastern and North-eastern boundaries of Section No. 8370 to the South-eastern boundary of Section No. 8453, thence North-easterly along that boundary a distance of nine chains forty-one links, thence North-westerly following the North-eastern boundary of he said section No. 8453 and of Section No. 8455 a distance of Ninety-six chains ninety links to the South-eastern boundary of Section No. 8419 following that boundary North-easterly a distance of twenty-nine chains six links to the road passing through Section No. 8419, thence Southerly following the Western side of that road to a point being the extremity of a straight line parallel to and at a distance of nineteen chains seventy links from the North-eastern boundary of Reserve No. 738, thence South-easterly following the said line to the road forming the South-eastern boundary of the same Reserve, and from thence returning South-westerly along the same a distance of thirty-four chains thirteen links to the commencing point :—Subject nevertheless to the continuation of the road running through Section No. 8419, also to the road forming the South-eastern boundary of Section No. 8369, for which roads allowance has been made in the acreage.

7. The Canal Reserve Ordinance 1871.

[19th September 1871.]

Whereas by Grant from the Crown bearing date the eleventh day of August One thousand eight hundred and fifty-five all that piece or parcel of land together with other parcels of land in the Province of Canterbury in the Colony of New Zealand situate in the Christchurch district and containing by admeasurement twenty-eight acres three roods more or less commencing at a point on the southern bank of the River Avon opposite the north-east corner of section No. 30 thence south-easterly following a straight line to the northernmost corner of Section No. 300 thence following the north-eastern boundaries of Sections Nos. 300, 301, 347, 464, 39, 34, 28, 27, and 15 and a line in continuation of the north-eastern boundary of the latter section to the estuary of the rivers Avon and Heathcote thence northerly following the said estuary to the road forming the southwest boundary of Section No. 438 thence north-westerly following the said road and a line in continuation of the south-western side thereof to the southernmost corner of Section No. 326 thence following the south-west boundary of Section No. 326 and a line in continuation of the same to the southern bank of the river Avon before mentioned and from thence returning along the said bank to the commencing point Subject nevertheless to the road reserved along the southern bank of the Avon and also the one reserved round the estuary of the rivers Avon and Heathcote and more particularly referred to in the Schedule B of the "Canterbury Associations' Ordinance Session IV. No. 6" and numbered 59 therein was granted unto the Superintendent of the Province of Canterbury and his successors in trust for a canal reserve And whereas it is expedient that the said Superintendent should have power to sell let or otherwise dispose of all or any portion of the said parcel of land.

Be it therefore enacted by the Superintendent of the Province of Canterbury with the advice and consent of the Provincial Council of the said Province as follows:

1. Superintendent may sell, let, or otherwise dispose of parcel of land referred to in Schedule B of the " Canterbury Associations' Ordinance," Session IV., and numbered 59 therein.

It shall be lawful for the Superintendent of the said Province with the advice and consent of the Executive Council thereof to sell let or otherwise dispose of all or any portion of that parcel of land referred to in Schedule B of the "Canterbury Association's Ordinance Session IV. No. 6" and numbered 59 therein and granted to the Superintendent of the said Province as aforesaid.

2. Title.

This Ordinance shall be intituled and may be cited as the "Canal Reserve Ordinance."

8. The Educational Reserves Leasing Ordinance 1871.

[19th September 1871.]

Whereas by several Crown Grants bearing the dates respectively as contained in the Schedule hereto all those parcels of land described in the said Crown Grants and delineated in the plans drawn in the margin of the said Crown Grants with all the rights and appurtenances thereto belonging were granted unto the Superintendent of the Province of Canterbury and his successors in trust for Educational purposes.

And whereas it is expedient that the said Superintendent of the said Province of Canterbury and his successors should have power to demise and lease the said parcels of land.

Be it therefore enacted by the Superintendent of the Province of Canterbury with the advice and consent of the Provincial Council thereof (as follows);

1. Superintendent may demise and lease for any term not exceeding twenty-one years Reserved described in Schedule..

It shall be lawful for the Superintendent in Council from time to time to demise and lease after public tender for any term or terms not exceeding twenty-one years All any part of the Reserves described in the Schedule to this Ordinance upon such terms and conditions and at such rent or rents as to the Superintendent in Council may seem proper.

2. Title.

This Ordinance shall be intituled and may be cited as “The Educational Reserves Leasing Ordinance 1871.”

Schedule.

Number of Reserve as delineated in red on Map of the Chief Surveyor of the Province of Canterbury.	District.	Acreage.	Date of Crown Grant.
		A. R. P.	

1118	Ashburton	222 0 0	11 th May 1871
1119	Ashburton	57 0 0	11 th May 1871
1120	Ashburton	136 0 0	11 th May 1871
1121	Ashburton	66 0 0	11 th May 1871
1122	Ashburton	337 0 0	11 th May 1871
1153	Oxford	44 0 0	31 st May 1871
1154	Oxford	28 0 0	31 st May 1871
1199	Timaru.	676 0 0	11 th May 1871
1207	Timaru	378 0 0	11 th May 1871
1208	Timaru	562 0 0	11 th May 1871
1210	Timaru	1677 0 0	11 th May 1871

9. The Reserve No. 168 Ordinance 1871.

[19th September 1871.]

Whereas by Grant from the Crown bearing date the twenty-fourth day of July One thousand eight hundred and sixty-five all that piece or parcel of land in the Province of Canterbury in the Colony of New Zealand situate in the Timaru District and containing by admeasurement ten acres more or less being Reserve numbered 168 (in red) on the Map of the Chief Surveyor of the Province of Canterbury setting out and describing the rural land in the Timaru district aforesaid was granted unto the Superintendent of the Province of Canterbury and his successors in trust as a site for a Cemetery And whereas it is expedient that the said Superintendent should have power to sell let or otherwise dispose of all or any portion of the parcels of land described in the Schedules A and B hereto being parts of the said Reserve.

Be it therefore enacted by the Superintendent of the Province of Canterbury with the advice and consent of the Provincial Council of the said Province as follows:

1. Superintendent may sell, let, or otherwise dispose of parcel of land described in Schedules A and B.

It shall be lawful for the Superintendent of the said Province with the advice and consent of the Executive Council thereof to sell let or otherwise dispose of all or any portion of those parcels of land comprised in the Schedules A and B hereto being parts of the said Reserve No. 168.

2. Title.

This Ordinance shall be intituled and may be cited as the "Reserve No. 168

Ordinance.”

Schedule A.

All that piece or parcel of land being part of Reserve No. 168 (in red), containing by admeasurement two roods more or less, commencing at a point on the western side of the South Road, situate one chain and ten links from the north-eastern corner of the aforesaid Reserve; thence westerly, following a line parallel to the northern boundary thereof, a distance of two chains seventy-six links; thence southerly at a right angle one chain sixty links; thence again at a right angle easterly, following a straight line to the road before mentioned, and from thence returning along the same to the commencing point.

Schedule B.

All that piece or parcel of land being part of Reserve No. 168 (in red), containing by admeasurement two roods, more or less, commencing at the north-west corner of the said Reserve; thence following easterly the northern boundary thereof a distance of two chains twenty-four links, and extending southerly a distance of two chains twenty-four links in a rectangular block, being bounded on the westward by Rural Section No. 3699.

10. Reserve No 262 Ordinance 1871 AW. NZG 1872 p148

[19th September 1871.]

Whereas by Grant from the Crown bearing date the eighteenth day of September One thousand eight hundred and sixty-five all that piece or parcel of land in the Province of Canterbury in the Colony of New Zealand situate in the Town of Timaru and containing by admeasurement twelve acres three roods and thirty-seven perches more or less being Reserve numbered 262 (in red) on the Map of the Chief Surveyor of the Province of Canterbury setting out and describing the Town of Timaru aforesaid was granted unto the Superintendent of the Province of Canterbury and his successors in trust as the site for a public garden and pleasure garden And whereas it is expedient that the said Superintendent should have power to sell let or otherwise dispose of all or any portion of the parcel of land described. in the Schedule hereto being part of the said Reserve.

Be it therefore enacted by the Superintendent of the Province of Canterbury with the advice and consent of the Provincial Council of the said Province as follows:

1. Superintendent may sell let or otherwise dispose of parcel of land comprised in schedule.

It shall be lawful for the Superintendent of the said Province with the advice and consent of the Executive Council thereof to sell let or otherwise dispose of all or any portion of the parcel of land comprised in the Schedule hereto being part of the said Reserve No. 262.

2. Title.

This Ordinance shall be intituled and may be cited as the "Reserve No. 262 Ordinance."

Schedule.

Two acres two roods more or less being part of Reserve No. 262 (in red) situate in the Town of Timaru being bounded on the southward by Catherine street on the westward by the Boulevard on the eastward by Rose street and on the northward by a line at right angles to the last mentioned street so as to contain the above quantity.

11. The Education Ordinance 1871.

[9th August 1871.]

Whereas it is expedient to consolidate and amend the Law relating to Public Education and the Formation and Management of Schools in the Province of Canterbury.

Be it therefore enacted by the Superintendent of the said Province by and with the advice and consent of the Provincial Council as follows:

1. Title.

The Short title of this Ordinance shall be "The Education Ordinance 1871."

2. Repeal of Ordinances.

The several Ordinances mentioned and specified in the Schedule hereto shall be and the same are hereby repealed Provided always that nothing in this section contained shall invalidate or be deemed taken or construed to invalidate or affect any proceeding matter or thing already taken or done by virtue in pursuance of or under the authority of the said repealed Ordinances or any or either of them And that all Committees which have been elected or appointed under the authority of

in pursuance of the said Ordinances or any or either of them shall be deemed and taken to have been proclaimed constituted elected or appointed as the case may be under the authority of this Ordinance and shall act accordingly until new Committees have been appointed under the provisions of this Ordinance

3. Superintendent to act with advice of Executive Council.

Every act which the Superintendent required to perform he shall perform solely in accordance with the advice and consent of his Executive Council and such advice shall be recorded on the minutes of the Council.

4. Board constituted.

There shall be constituted a Board under the name of the Board of Education and hereinafter called the Board.

5. Board. How to be constituted.

The Board shall consist of eight members to be appointed and removable by the Superintendent.

6. Board. Two Members to resign yearly, and vacancies to be filled by Superintendent.

Two members of the Board shall go out of office each year and the vacancies shall be filled by appointment by the Superintendent.

7. Board Members to retire by rotation. Board. First Appointment.

The two members who are to retire for the first three years respectively from appointment of first Board shall be chosen by lot at the first meeting of the Board and after the said three years they shall retire by rotation two in each year according to length of service -the two who have served the longest retiring in each year.

8. First appointment of Board.

The first appointment of Members shall take place on a day to be fixed by the Superintendent such day to be as early as possible with convenience after this Act shall come into operation and the date of such day shall thereafter be the date on which the two members shall annually retire and two new members shall be appointed in their stead unless such date shall fall on a Sunday or public holiday and in that case the day following shall be the day instead Provided always that the retiring members shall be eligible for re-appointment.

9. Board. Appointment to be gazetted.

Every appointment of a member or members of the Board shall be notified in the Provincial Government Gazette and shall take effect from the date of such notification.

10. Board. Time and place of Meetings.

The first meeting of the Board shall be held at such time and place as shall be

determined by the Superintendent and notified by proclamation in the Provincial Government Gazette and all subsequent meetings shall be held at such times and places as the Board may by any regulation in that behalf determine provided that at least one meeting shall be held in every month after such first meeting.

11. Board. Election of Chairman.

The Board shall at its first meeting elect one of its members to be Chairman thereof who shall preside at the meetings of the Board and shall have an original and where the number of votes are equal also a casting vote thereat. Provided that if the Chairman shall be absent from any meeting the members present shall elect one of their number to preside in his stead at such meeting and such Presiding Member shall have the same power at such meeting as the Chairman.

12. Board Chairman removable by Superintendent.

The Chairman shall be removable by the Superintendent on a requisition to that effect signed by at least four members of the Board being presented to him praying for such removal.

13. Board Chairman ceasing to be Member of the Board.

If the Chairman shall cease to be a member of the Board or shall by notice in writing to the Superintendent resign his office or be removed by the Superintendent the Board shall at its next meeting thereafter elect another member to be Chairman in his stead.

14. Board. Absence of any Member.

If any member shall absent himself from the Board for three consecutive meetings without the leave of the Board his seat on the Board shall become vacant.

15. Board. Resignation and Vacancies.

Any member of the Board may resign his seat thereat by signifying in writing to the Superintendent his desire so to do and any vacancy caused by the resignation death removal or absence of any member shall be filled up by appointment as aforesaid.

16. Board. Term of office of Member appointed to fill vacancy.

The member appointed to fill up a casual vacancy shall retain his office so long only as the vacating member would have retained the same if no vacancy had occurred.

17. Board. Questions how decided.

All questions coming before the Board majority of the members present and there shall Board unless at least four members be present.

18. Board Regulations for conduct of business.

It shall be lawful for the Board from time to time to make and to revoke and alter

such regulations as they may think fit for the conduct of the business of the Board Provided that all such regulations and every such revocation and alteration shall be subject to the approval of the Superintendent.

19. Board. Applications for Grants.

The Board shall entertain and decide upon applications for grants of public money for establishing or aiding the establishment and maintenance of new schools and for aiding existing Schools.

20. Board. Examination of Teachers.

It shall be lawful for the Board to enquire as to the knowledge and qualifications of any person who may be desirous of becoming a Teacher or Master in any school and for that purpose from time to time to appoint fit persons to examine Candidates and it shall be lawful for the Board to make such regulations respecting the subjects comprised in and the general conduct of such examinations as they shall from time to time think fit.

21. Board. Classification of Teachers.

The Board shall make regulations for the classification of Teachers employed in Schools receiving pecuniary assistance from the Board and for the issue of Certificates shewing the class in which by their knowledge and qualifications such Teachers may be entitled to be placed.

22. Board Administration of Funds.

The Board shall administer all funds which shall from time to time be in the hands of the Provincial Government available for the purposes of Education subject to any appropriation thereof that may be made by the Provincial Council.

23. Board Regulation of Funds.

It shall be lawful for the Board to frame regulations for the distribution of the funds appropriated annually by the Provincial Council for the maintenance of schools in the province which Regulations shall be approved of by the Superintendent and published in the Provincial Government Gazette.

24. Board Annual Report.

The Board shall in the month of October in each year render to the Superintendent a full report of all things done by them by virtue of this Ordinance during the year preceding such report.

25. Inspector. Appointment.

There shall be an Inspector or Inspectors of Schools who shall be appointed and be removable by the Superintendent on the recommendation of the Board.

26. Inspector. Duty of Inspector.

It shall be the duty of the Inspector or Inspectors from time to time as the Board shall direct to inspect all schools receiving aid from the Board to furnish all such

reports as the Board may require and generally to be guided in the performance of their duties by such instructions as they may receive from the Chairman of the Board.

27. Educational Districts. Formation.

It shall be lawful for the Superintendent on the recommendation of the Board from time to time to declare by Proclamation in the Provincial Government Gazette any district or districts within the Province to be an Educational District or Educational Districts and every such district shall thereupon become an Educational District under this Ordinance.

28. Educational Districts. Boundaries.

All parts of every Educational District to be created under the provisions of this Ordinance shall be so far as practicable within a reasonable and convenient distance of the site or proposed site of the School Buildings And in accordance with this enactment the boundaries of all such districts shall be approved of by the Superintendent on the recommendation of the Board Provided always that the whole or the greater portion of the boundaries of every such district shall be within a radius of three and a half miles of the site or proposed site of the school buildings Provided also that the Superintendent may change or alter the boundaries of any Educational District on the recommendation of the Board any such alteration to be notified in the Provincial Government Gazette Provided also that such boundaries when changed or altered shall be in accordance with the provisions of this Ordinance.

29. Proclamation of existing Districts.

The Superintendent shall on the recommendation of the Board as early as possible with convenience after this Act shall come into operation by proclamation in the Provincial Government Gazette declare all those localities which have been declared Educational Districts under the provisions of the "Education Ordinance 1864" and the sites or proposed sites of whose school buildings are or shall be vested in the Superintendent to be Educational Districts under this Ordinance Provided that in all cases where the boundaries of any such locality shall not be in accordance with the provisions of this Ordinance the Superintendent shall on the recommendation of the Board before proclaiming the same as an Educational District under this Ordinance alter or change the boundaries thereof in such manner as to form a District whose boundaries shall be in accordance with the provisions of this Ordinance and thereupon such District shall be declared as aforesaid.

30. Educational Districts. Proclamation of localities already provided with School Buildings.

The Superintendent shall forthwith on this Ordinance coming into force on the recommendation of the Board by proclamation in the Provincial Government Gazette declare all localities within the province which are already provided with school buildings and the boundaries of which are in accordance with the

provisions of the foregoing clause and the sites of the School Buildings wherein are or shall be vested in the Superintendent and dedicated for the purposes of Education and for the purpose of a school to be Educational Districts under the provisions of this Ordinance.

31. Qualification of voters.

Every person being of the full age of twenty-one years and upwards and being also a householder in any Educational District or in any locality proposed to be formed into an Educational District shall be qualified to vote at all elections and meetings constituted and held under the provisions of this Ordinance in any such district or locality.

32. Educational Districts. Memorial to form a District.

Upon the receipt of a memorial from any considerable number of persons qualified to vote in any locality within the province praying for the formation of such locality into a separate Educational District the Board shall forthwith ascertain fully all the circumstances of the case and if it shall appear to the Board that there exists in such locality a necessity for provision being made for public Education therein and shall be satisfied that the provisions of this Act as to the site of the building and as to the boundaries of the districts can be complied with the Board shall call by advertisement a public meeting of persons qualified to vote as aforesaid in such district and it shall be the duty of the Chairman of the Board or some person appointed by the Board in that behalf to attend at such meeting and afford information regarding the provisions of this Ordinance and the proceedings proper to be taken under the same.

33. Educational Districts. Proceedings at the Meeting.

The meeting so called shall declare by the votes of the majority of the persons present (being persons qualified to vote as aforesaid) whether they are willing that such district shall be formed into an Educational District under the provisions of this Ordinance and in the event of their so declaring their willingness and further declaring their willingness to provide the proportion of the expenses required for the establishment of the school as hereinafter provided the Board shall report the same to the Superintendent and the Superintendent shall as hereinbefore provided declare such district to be an Educational District under this Ordinance.

34. Educational Districts. Election of Committee.

At any such meeting of persons qualified to vote as aforesaid in any locality as hereinbefore described at which the majority shall have declared their willingness that the said locality or any part thereof shall be formed into an Educational District under the provisions of this Ordinance and shall have also declared their willingness to provide the due proportion of the expenses required for the establishment of the school as hereinafter provided the persons then present (being persons qualified to vote as aforesaid) shall elect by a majority of votes taken either by a show of hands or by ballot as shall be determined upon by the

said meeting not less than three nor more than nine persons qualified to vote as aforesaid resident in the district and the persons so elected shall be called the District School Committee and shall hold office until the election of their successors in manner hereinafter mentioned and the said meeting shall also appoint two persons not being members of the District School Committee to act as auditors of the accounts of the said Committee before the same shall be presented to the next annual meeting.

35. Educational Districts. Annual Meeting.

On the second Monday in the month of October in each year a public meeting of persons qualified to vote in every Educational District shall be held at a time and place within each district respectively to be fixed by the Chairman of the Board and notified by public advertisement at least one month previously and at such meeting the District School Committee for the preceding year or portion of the year as the case may be shall give a full report of its proceedings during that period and a statement of its accounts and thereupon the persons qualified to vote as aforesaid shall proceed to elect either by show of hands or by ballot as shall be determined upon by the said meeting a new District School Committee for the ensuing year of not less than three nor more than nine persons qualified as aforesaid Provided that the outgoing members shall be eligible for re-election and provided further the said meeting shall also appoint two auditors in manner aforesaid.

36. Educational Districts. Failure to elect Committee.

If in any case the persons qualified as aforesaid shall from any cause whatever fail to elect a District School Committee upon the annual day of meeting as hereinbefore provided the Superintendent shall fix another day for the election or a District School Committee for such district and the same notice of such meeting shall be given and the same proceedings taken thereat as are hereinbefore prescribed for ordinary annual meetings for electing District School Committees and for the appointment of Auditors.

37. Educational Districts. Neglect or refusal to elect Committee.

If in any case on such subsequent day the persons qualified as aforesaid shall refuse or neglect to elect a District School Committee the Superintendent immediately on being satisfied of such refusal or neglect shall by Proclamation published in the Provincial Government Gazette appoint a Commissioner for such district who shall hold office until the second Monday in the month of October next following his appointment and all the powers rights privileges and duties of a District School Committee shall from the date of such Proclamation vest in and be exercised by such Commissioner and the Superintendent shall cause such reasonable salary as he shall think fit to be paid to such Commissioner out of any funds applicable to the purposes of the Educational District under the provisions of this Ordinance Provided that such Commissioner shall be guided in the performance of his duties by such instructions as he shall receive from the Board in that behalf and all acts by this section required to be

performed by the Superintendent shall be performed only on a report of the circumstances from the Chairman of the Board.

38. Educational Districts. Inability, &c., of Committee to carry on its duties.

If from any cause a District School Committee shall be unable or if they shall be unwilling to carry on the duties of such Committee or if there shall be at any time no existing Committee in any Educational District under this Ordinance the Superintendent shall on the recommendation of the Board by Proclamation in the Provincial Government Gazette declare that no School Committee exists in such district and shall immediately thereupon call together a meeting of persons qualified to vote in such Educational District and thereupon such proceedings shall be taken for the election of a new Committee or in default of such election for the appointment of a Commissioner as hereinbefore provided.

39. Educational Districts. Board to call Public Meeting in any portion of the Province in which it appears to it School may be required.

If it shall appear to the Board that a school or schools is or are required in any portion of the Province not comprised within the limits of any Educational District it shall be lawful for the Superintendent if he shall think fit on the recommendation of the Board notwithstanding that no memorial shall have been presented as hereinbefore provided to proclaim such portion of the Province an Educational District and to define the boundaries of such district in accordance with the provisions of Section 28 of this Ordinance and thereupon the Board shall call by advertisement a public meeting of persons qualified to vote as aforesaid resident in such district and shall appoint a time and place of such meeting

40. Educational Districts. Meeting to Elect Committee.

The meeting so called if not less than three of such persons qualified to vote as aforesaid be present thereat shall proceed to elect a District School Committee in the manner hereinbefore provided for the election of District School Committees and thereupon all the provisions of this Ordinance relating to the annual election of District School Committees and the appointment of auditors shall be in force in such district.

41. Educational Districts. Neglect, &c., to Elect Committee.

If less than three of such persons qualified as aforesaid are present at the time and place appointed for such meeting or if the meeting neglect or refuse to elect a District School Committee it shall be lawful for the Superintendent to appoint a Commissioner who shall exercise all the powers rights privileges and duties conferred upon a Commissioner appointed under Section 37

42. District School Committee. Resignation and Vacancies.

Every District School Committee elected as aforesaid shall hold office until the election of their successors and if any vacancy or vacancies shall occur by death removal from the district resignation or otherwise in any District School Committee the remaining members of such Committee shall forthwith elect a

qualified person or persons to fill such vacancy or vacancies.

43. District School Committee. Vacancy how caused.

If any member of any District School Committee shall be absent from three consecutive meetings without leave of the Committee or shall cease to reside in the district for which he has been elected or shall signify in writing to the Chairman of the Committee his desire to resign his seat he shall thereupon cease to be a member of the School Committee.

44. District School Committee. Dispute as to Election.

If any dispute shall arise respecting the validity of the proceedings at any annual or other election of any District School Committee or respecting the validity of the election of any member or members of any School Committee the matter in dispute shall be submitted to the judgment of the Superintendent whose decision thereon shall be final and conclusive.

45. District School Committee. Time and place of meeting.

The proceedings of every District School Committee shall be transacted at meetings the time and place for which shall have been previously fixed by such Committee or at meetings to be convened by the Chairman of such Committee and it shall be the duty of the Chairman to convene such meeting whenever he shall be requested in writing so to do by two or more members of such Committee.

46. District School Committee. Election of Chairman.

Every District School Committee shall at its first meeting elect one of its members to be Chairman thereof who shall preside at the meetings of the Committee and shall have an original and when the number of votes shall be equal also a casting vote thereat and such Chairman shall forthwith notify his election and his usual address to the Board provided that if the aforesaid Chairman shall be absent from any meeting the members present shall elect one of their number to preside in his stead at such' meeting and such presiding member shall have the same power at such meeting as the Chairman.

47. District School Committee. Chairman to be removable.

The Chairman of any District School Committee shall be removable by the Superintendent on the recommendation of the Board on a requisition to that effect signed by at least three-fourths of the members of such Committee being presented to him praying for such removal.

48. District School Committee. Chairman ceasing to be Member.

If the Chairman shall cease to be a member of the District School Committee or shall by writing under his hand addressed to such Committee vacate the office of Chairman or shall be removed by the Superintendent the Committee shall at its next meeting thereafter elect another member to be Chairman in his stead.

49. District School Committee. Questions how to be decided.

All questions coming before the District School Committee shall be decided by a majority of the votes of the members present and there shall be no meeting of such Committee unless at least three members be present.

50. Rates may be levied for erection of School, &c.

If in any Educational District constituted under the provisions of this Ordinance the owners and occupiers of land and householders shall fail within six months from the date of such district being proclaimed to contribute and pay to the Provincial Treasurer the amount which shall be fixed by the Board as the contribution of such District to the cost of the school buildings or additions or repairs to any school buildings and of the acquisition of a suitable site together with the sum required as hereinafter mentioned for the purchase of books apparatus and fittings for the school it shall be lawful for the Superintendent by proclamation in the Provincial Government Gazette to declare an uniform rate to be leviable upon the annual value of the property comprised within such district as stated in the Ratepayers Roll of the Municipality or Road district or districts which are or shall be included either wholly or in part within the boundaries of such Educational District to be paid by the persons liable to pay rates in respect of such property to the Council or Board for the Municipality or district respectively Provided that such rates shall not exceed 6d. in the pound of the amount of such annual value.

51. Rates. How payable and recoverable.

The said rates shall be paid to the Superintendent or to such person or persons as he shall appoint within six weeks after the date of such proclamation and if the amount of such rate or any part thereof shall not be paid as aforesaid within the time prescribed the same shall be recovered as a debt at the suit of the Superintendent provided always that it shall be lawful for the Superintendent to excuse from the payment of such rate any person whom he may deem unable through poverty to pay the same The amount of such rate when collected or recovered as aforesaid shall be paid into the Provincial Treasury and shall be applied in the first place in defraying the expenses of collecting such rate and subject thereto towards the erection of school buildings or additions or repairs to any school buildings the acquisition of a site for a school and for the purchase of books apparatus and fittings for such school.

52. Rates. Road Board to supply copy of Rate Roll.

The Chairman of any Road Board within the Province shall on receiving a request to that effect in writing from the Superintendent supply the person or persons appointed under the foregoing clauses with a certified copy of the Ratepayers Roll then in force in any such Road district on receiving payment of the cost of the same.

53. District School Committee. Expenditure of Funds.

Every District School Committee shall expend all money paid to it under any

Ordinance of the Superintendent and Provincial Council in accordance with the provisions of such Ordinance and shall expend all money received by it arising from rates to be levied within the district and all other moneys received by it under this Ordinance in the maintenance and support of the school or schools under its control and in accordance with such Regulations as shall be framed by the Board for that purpose.

54. District School Committee. Accounts.

Every District School Committee shall submit its accounts made up to the 30th September in each year to the two auditors appointed by the preceding public meeting of persons qualified to vote in the district and it shall be the duty of the said auditors to audit the same and their certificate shall be laid before the next annual meeting and a certified copy of such statement of accounts and certificate shall be transmitted by such auditors to the Chairman of the Board.

55. District School Committee. Transfer of moneys to successor.

Any moneys in the hands or under the control of any District School Committee at the expiration of its term of office shall be paid over by such Committee to its successor immediately after its election.

56. Teachers. Appointments and Salaries.

In every Educational District it shall be lawful for the District School Committee with the sanction of the Board and subject to the conditions hereinafter mentioned to establish one or more schools and to fix and determine the salary of the Teacher or Teachers and to appoint or dismiss the Teacher or Teachers of such school or schools and generally to have the management of such school or schools within the district Provided that the salary of male teachers not being assistant or pupil teachers shall be not less than £130 per annum and of female teachers not being pupil teachers not less than £60 per annum in all schools included in any Educational District.

57. Teachers. Qualification of Teachers.

No appointment of any teacher shall be valid until such teacher shall have produced to the Board a certificate of qualification from her Majesty's Committee of Privy Council on Education or from an Inspector of Schools appointed under the provisions of this Ordinance or from any Examiner or Examiners to be appointed by the Board and such other certificates of fitness as shall be required by any regulations of the Board and every appointment or dismissal of any teacher or any reduction made in his salary after being once fixed shall be subject to the sanction of the Board.

58. Teachers. Assistant Teachers.

It shall be lawful for any District School Committee to appoint such assistant teachers on such terms as it shall seem right with the sanction of the Board.

59. Teachers. Pupil Teachers.

It shall be lawful for the Board to make and from time to time to alter rules and regulations for the examination training and employment of pupil teachers and to grant any moderate sum or sums of money in aid of the maintenance and education of such pupil teachers and the District School Committee may from time to time engage and employ one or more of such pupil teachers on such terms as the Board shall think fit.

60. Buildings and other expenses. Grants in aid.

It shall be lawful for the Board on receiving a memorial from any District School Committee or a report from any Commissioner appointed as aforesaid praying for or recommending the establishment of a school in any district constituted as herein provided to grant to such Committee or Commissioner any sum not exceeding five-sixths of the estimated cost of the buildings required or the estimated cost of repairing or adding to any buildings that may already exist on the school site.

61. Buildings and other expenses. Conditions of Grant.

No aid shall be granted by the Board for the establishment of a new school unless

(1st) The plan of the buildings shall first have been approved of by the Board.

(2nd) The site outside the limits of a town shall be at least one acre in extent The site within the limits of a town shall be such as may be approved of by the Board.

(3rd) The site shall have been previously vested in the Superintendent for the purposes of a school either by a grant in fee or by lease at a nominal rent for a term of not less than 99 years.

(4th) There shall have been deposited in the Provincial Treasury a sum equal to one-sixth of the estimated cost of the buildings or the estimated cost of repairing or adding to any building that may already exist on the school site together with a sum of at least £20 for the purchase of books apparatus and fittings for the school provided that any building that may exist on the proposed school site and which may be deemed by the Board suitable for the purposes of a school may be accepted by them at an estimated value by way of payment or part payment of the contribution aforesaid.

62. Buildings and other expenses. Insurance.

The Board shall out of any moneys appropriated or to be appropriated by the Provincial Council for the purposes of education to effect insurances on all school buildings erected on land vested in the Superintendent.

63. Buildings and other expenses. Control of Schoolroom.

The District School Committee shall have absolute control over the schoolroom

and shall determine the purposes for which it may be used at any time except in school hours.

64. Maintenance of School. Yearly payment to be made.

After the first day of March One thousand eight hundred and seventy-two in every Educational District under this Ordinance no school fees shall be charged in any: school receiving aid from the Board on account of any children under instruction therein but in lieu thereof there shall be paid yearly by every householder residing within a radius of three "miles from the school in each such district a sum of twenty shillings and a further sum of five shillings for every child of such householder between the ages of six and thirteen years provided always that no person shall be liable to pay in respect of such children a greater annual sum than 20s. nor for any child attending a school not receiving aid in respect of whom such person shall produce to the collector a certificate signed by the teacher of such last mentioned school showing that such child has attended such school for at least three months within the four months previous to the time fixed for the payment of such -annual sum of money Nothing herein contained shall be taken to prevent any teacher from holding classes at any time outside school hours for the tuition of persons above the age of thirteen years desirous of being instructed therein or from charging for such tuition such fees as he shall think fit.

65. Maintenance of School. When and how payable.

The said annual sum be paid by the persons liable to the payment thereof to some person or persons appointed by the Superintendent for that purpose on or before the first day of May in each year at a place within each Educational District respectively to be fixed by the Superintendent by public notice in some newspaper published and generally circulated within the Province not being less than twenty-one days before the said first day of May and if the said sums or any part thereof respectively shall not be paid on or before the said last-mentioned day the same may be recovered as a debt at the suit of the Superintendent Provided always that it shall be lawful for the Superintendent on the recommendation of the District School Committee to excuse any person from the payment of such sums of money who may be deemed unable through poverty to pay the same.

66. Maintenance of School. Sum to be paid to Chairman of Committee.

The person or persons so appointed to collect the sums of money shall after deducting such reasonable charge for collecting as may be authorised by the Superintendent pay over to the Chairman of the District School Committee the moneys collected or recovered by him.

67. How to be applied.

After providing for the salary or salaries of the teacher or assistant teacher or teachers the sums received by the Committee shall be applicable to the purchase of books apparatus fittings the repair of buildings the fencing of the land annexed thereto and other incidental expenses.

68. Fees to be paid in certain cases.

Anything in this Ordinance to the contrary notwithstanding it shall be lawful for the Superintendent on the recommendation of any District School Committee if he shall think fit to demand and recover by the means aforesaid an annual sum of ten shillings from the parents or guardians of every child attending any such school whose parents or guardians shall reside outside the radius of three miles from the school provided that such fees shall be recoverable at any time after such child shall have attended any such school and that no more than one such fee shall be payable in respect of any child in any one year.

69. Board to pay sums for maintenance of school to Chairman of Committee.

All sums payable by the Board for the maintenance of any school shall be paid to the Chairman of the Committee of the district in which such school shall be situate.

70. Holy Scripture to be read.

Whenever any school shall have been established under the Holy Scriptures provisions of this Ordinance a portion of the Holy Scriptures shall be read during the first half hour after the opening of the school by such of the children as can read fluently and intelligently or if none such be present then by the teacher Provided always that no child shall be compelled to be present at such reading whose parents or guardians shall object thereto.

71. Religious Teaching. Teacher only to instruct.

No person other than the teacher or teachers except as hereinafter provided shall be allowed to give instruction in any School.

72. Religious Teaching. Minister of Religion may instruct.

It shall be lawful for the Committee of any school to set apart either one whole school day or two half school days in every week during which any Minister or Ministers of religion may impart religious instruction to such of the children on the books of the school as may belong to his or their religious denominations Provided that no child or children shall be allowed to attend at such instruction except on a written request to that effect addressed to the teacher by the parents or guardians of such child or children.

73. Special Grants to certain Schools.

It shall be lawful for the Board if it shall think fit out of any sum or sums of money that may be appropriated by the Superintendent and Provincial Council for that purpose to make special grants towards the support of schools within the province not established in accordance with the foregoing provisions of this Ordinance and not included in any Educational District.

74. Special Conditions.

The promoters or managers of such school shall contribute by children's payments or otherwise an amount equal at least to such special grant from the Board to be applied to the payment of the Teacher or Teachers Provided that any further sums contributed for the use of the school beyond this equivalent may be appropriated by such promoters or managers as they shall think fit Provided also that if at any time the sum contributed by such promoters and managers shall fall short of the sum contributed by the Board the Board shall either withdraw its grant altogether or reduce the same to the amount contributed by such promoters and managers as it shall think fit.

75. Special Teacher to be competent.

Before such grant shall be made to any school the Board shall be satisfied with the Teacher's moral character and fitness to conduct a school and for that purpose shall cause such Teacher to be examined at such time and by such person or persons as they shall appoint for that purpose.

76. Special Amount.

It shall be lawful for the Board if it shall think fit to contribute by way of special grant to any such school as last mentioned any sum not exceeding Two Pounds for every child in average attendance Provided that the whole sum so granted shall not exceed the amount which would have been paid to such school as salaries to teachers and assistant teachers if such school were under the control of a District School Committee.

77. Special Religious Instruction.

The promoters or managers of any such school shall be at liberty to make such provision as they shall think fit for the communication of religious instruction in the school under their charge Provided always that any parent or guardian objecting may remove any child during the hours of religious teaching.

78. Special Appointment of Teachers.

The appointment of all Teachers and Assistant Teachers in any such schools shall rest with the promoters and managers thereof subject to the provisions herein contained.

79. Miscellaneous. Quarterly Returns to be made.

It shall be the duty of the Chairman of every Committee of any school aided by the Board to transmit to the Chairman of the Board within one week from the termination of every quarter returns according to forms to be supplied by the Board of the number of children on the books of the respective schools the average attendance the amount of fees if any paid and due the scale of such fees and such other particulars with regard to the condition of the school as the Board shall require.

80. Board or its Officers may enter any School receiving aid for purposes of inspection.

It shall be lawful for the Board or any member or members thereof or any officer of the Board or any other person authorised by the Board to enter any school receiving aid during school hours for the purposes of inspection or otherwise.

81. Branches of Instruction.

The following branches of instruction shall be required to be taught in all schools aided by the Board - Reading writing spelling arithmetic geography history sacred and profane and English grammar.

82. In case of provisions of Ordinance being contravened in respect of any school or incompetency or negligence of any teacher, Board may carry out provisions and deduct from moneys payable to such school moneys expended by it in so doing.

In any where it shall appear to the Board that any of the provisions of this Ordinance have been contravened in respect to any school established under the provisions of this Ordinance or where the Teacher of any such school is incompetent or negligent or where the site buildings or premises of such school are insufficient or otherwise unsuitable or where the school apparatus is defective or where the school is generally inefficiently conducted it shall be lawful for the Board to take all measures and do all acts which shall be necessary to carry out the provisions of this Ordinance and to remedy all such defects as aforesaid in such school and to deduct from the moneys payable to the Committee of the District in which such school shall be situate all moneys which they shall expend in carrying out the provisions of this section.

83. Depot of Books to be kept.

There shall be a depôt of school books and apparatus under the charge of the Chairman of the Board and the Committee of every school aided by the Board shall purchase at the said depôt the books and apparatus required for the use of such schools at such prices as shall be fixed by the Board and the proceeds of such sales shall from time to time after payment of the expenses connected with the said depôt be expended in the purchase of supplies of such books and apparatus.

84. Accounts to be audited.

All accounts of the Board and of any Commissioner appointed under the provisions of this Ordinance shall be audited yearly by the Provincial Auditor.

85. Rates, &c., how recoverable.

All rates and other sums of money made payable by this Ordinance by owners and occupiers of land and householders in any district and by parents and guardians of children attending any school shall besides the means for recovering the same hereinbefore provided be recoverable at the suit of the Superintendent.

Schedule.

Education Ordinance Session VIII., No. 10.

Board of Education Ordinance 1863

Education Ordinance 1864

Education Ordinance Amendment Ordinance 1865

Education Ordinance 1864 and the Education Ordinance Amendment Ordinance
1865 Amendment Ordinance 1868

Education Ordinance 1864 Amendment Ordinance 1869.

Education Ordinance 1864 Amendment Ordinance 1870.

12. Appropriation Ordinance 1871

No copy.