

Dunedin Athenaeum And Mechanics' Institute Ordinance 1870 (O)

Provincial Act 329
Date of assent 7 December 1870

References in this Act to decimal currency were substituted for references to the former currency by section 7 Decimal Currency Act 1964 (1964 No 27).

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**In the 34th year of the reign of Her Majesty Queen Victoria
An Ordinance to incorporate the Dunedin Athenaeum and
Mechanics' Institute**

Preamble

[Repealed]

The Preamble was repealed by section 2 Statutes Repeal Act 1907.

1 Short Title

The Short Title of this Ordinance shall be the Dunedin Athenaeum and Mechanics' Institute Ordinance 1870.

2 Incorporation

The members of the Institution established for maintaining a lending and reference library and reading room in the City of Dunedin known as the "Dunedin Athenaeum and Mechanics' Institute" shall be a body politic and corporate by the name of "The Dunedin Athenaeum and Mechanics' Institute" and by that name shall have perpetual succession and shall adopt and have a common seal and shall by the same name sue and be sued, plead and be impleaded, answer and be answered unto in all Courts of the Dominion of New Zealand, and shall be capable in law to take, purchase, and hold all goods, chattels and personal property whatsoever and shall also be able and capable in law to receive, take, purchase and hold for ever not only such lands, buildings, hereditaments and possessions as may from time to time be required for the purposes of the said Institution but also any other lands, buildings, hereditaments and possessions whatsoever and shall be able and capable in law to grant, demise, mortgage, charge, alienate or otherwise dispose of all or any of the property, real or personal, belonging to the said Institution and also to do all other matters or things incidental or appertaining to a body politic and corporate:

Provided always that it shall not be lawful for the said Corporation to alienate, mortgage, charge or dispose of except by way of lease for a period not exceeding 3 years any lands, tenements or hereditaments of which it shall have become seised or to which it may become entitled by grant, purchase or otherwise unless with the approval of two-thirds of the members thereof present at a Special General meeting duly convened, and any money received from such alienation, mortgage, demise or otherwise shall be paid and applied solely for the purposes of the said Institution.

Section 2 was amended by section 2 Statutes Repeal Act 1907.

The reference to the "Dominion of New Zealand" replaced a reference to the "Colony of New Zealand" pursuant to section 4 Acts Interpretation Act 1924

3 Purposes of the Institution

The purposes for which the said Institution has been established and shall in future be maintained are to form or provide and carry on—

- (1) A lending and a reference library:
- (2) A reading room with a supply of newspapers and periodicals:
- (3) Educational classes and lectures:
- (4) Meetings for social and intellectual improvement:
- (5) The collection of scientific apparatus or other things illustrative of science or useful for education—

under such regulations as may be made from time to time by the members.

4 Institute to be managed by a Committee

The management of the said Institution shall be vested in a Committee of the members thereof to be appointed annually at a general meeting to be held in the month of January in each year or so soon thereafter as may be found convenient.

5

Section 5 was repealed by section 2 Statutes Repeal Act 1907.

6 Rules in Schedule to be rules of the Institute

The rules contained in the Schedule shall be the rules for the government and management of the said Institution until altered, amended, varied or rescinded by two-thirds of the members present at the annual general meeting or at any special meeting called by advertisement on 8 days' notice, the object of the meeting being fully set forth in the advertisement.

7 Lands may be conveyed, etc, to Institute

No member or subscriber shall have any personal, individual, joint or transmissible right or interest in or to the whole or any part of the real or personal estate which may belong to or be vested in the Corporation.

8 How Corporation may be dissolved

The Corporation may be dissolved by the consent of five-sixths of the members at any general meeting assembled after 10 days' special notice by advertisement or de facto when the number of members shall fall below 7.

9 Effect of dissolution on property of Institute

In the event of the said Corporation being dissolved the whole of the property real and personal belonging to the said Corporation shall be vested in the Mayor and Municipal Council of the City of Dunedin for the time being to form a part of any public library, university library or public institution which may be established or at the time be in existence within the City of Dunedin to be held for the use of the public under such regulations as may be prescribed by the said Council in that behalf.

10 Committee may sell unused or duplicate copies of books, etc

The Committee shall have power from time to time to sell or dispose of by public auction or otherwise any unused or duplicate copies of books, reviews, magazines, newspapers or other periodicals and the proceeds of such sales shall be applied towards the ordinary expenditure of the Corporation.

Schedule**General rules****1**

This Institution shall be called the "Dunedin Athenaeum and Mechanics' Institute."

2

The general management of the Institution shall be vested in a Committee consisting of a President, Vice-President, Treasurer, Secretary, and Committeemen, 4 of whom shall form a quorum.

3

His Honour the Superintendent of Otago shall be ex officio President of the Institution.

4

The objects of the Institution shall be to provide a suitable library and reading room and by every other attainable means to promote the diffusion of information and instruction in literature, science and art.

5

An Annual Meeting of the members shall take place on the 2nd Monday of every year or as soon thereafter as may be found convenient for the election of Officers and for general business. Eight members shall form a quorum at these meetings.

6

The Office Bearers shall be elected annually. Outgoing members of the Committee shall be eligible for re-election.

7

It shall be competent for any 3 of the Office Bearers or any 10 of the members by a written requisition stating the proposed object to require the Secretary to convene a Special General Meeting of the members of the Institution and the Secretary on receiving such a requisition shall be bound to announce such a meeting forthwith by advertisement in the newspapers at least 8 days previous to the meeting. Only the subject stated in the requisition shall be discussed at such meetings.

8

The Committee shall meet on the 2nd Monday of each month or more frequently if necessary and the Secretary and Treasurer shall take their instructions at these meetings. The Secretary shall have charge of the property of the Athenaeum and of all correspondence. The Treasurer shall attend to the collection of money and the payment of accounts. Auditors shall be chosen annually one by the Committee and one by the members at the Annual General Meeting.

- 9** No building for the purpose of this Institution shall be erected or purchased unless authorised by a resolution of two-thirds of the members present at a General Meeting of the subscribers.
- 10** All persons desirous of becoming members must be approved of by the Managing Committee. The annual subscription shall be \$2.10 or 52.5c per quarter payable in advance.
- 11** Strangers visiting the Province when introduced by a member shall be allowed the use of the reading room gratuitously for one month.
- 12** The reading room and library shall be at the service of members of the Provincial Council during the Session.
This provision impliedly lapsed upon the abolition of the Provincial Councils.
- 13** A Life Membership may be purchased by the payment of \$21.
- 14** No money shall be borrowed for the purposes of the Institution without the consent of two-thirds of the members present at a General Meeting.

Rules of library

- 1** No Subscriber shall be allowed from the library more than one book at a time (or 3 of a set) and one periodical:
Provided always that subscribers of more than \$2.10 per annum may be allowed to take out one more work for each extra subscription of \$1.05 per annum.
- 2** Periodicals shall lie one month on the tables of the Institution before being available for circulation amongst the members.
- 3** As books have in some instances been returned by members soiled and damaged to such an extent as to render them unfit

for circulation any member returning a work in the condition mentioned will be required to forfeit double the value of the work or if one of a set to replace the whole.

4

Parties subscribing for a less period than 12 months must leave a deposit of \$2 with the Librarian before taking out books which will be returned when their membership ceases or procure a written guarantee from 2 annual subscribers stating that they will be responsible for all books lost or destroyed by the party obtaining the guarantee and for all fines imposed upon him by the Committee in accordance with the Rules.

5

Seven or 14 days (according to its size) shall be allowed for reading a book and 3 days for a periodical. A fine of 2c per day for a book and 5c per day for a periodical shall be imposed on subscribers detaining the same beyond the proper time.

6

A book shall lie on the Librarian's table on which subscribers may note recommendations of new books which will be taken into consideration by the Committee.

7

The Committee may withdraw the privileges of the Institution from any member who does not comply with these rules or who otherwise misconducts himself and may declare his subscription forfeited.