

Greytown and Masterton Public Park and Cemetery Reserve Management Act 1875

Public Act 1875 No 56
Date of assent 18 October 1875

This Act as far as it relates to the Masterton Park Trustees and the land, part of Section 19 in the Township of Masterton, vested in them under the provisions thereof in trust for park purposes and a public park, was repealed, as from 2 November 1901, by section 2 Masterton Public Park Management Act 1901 (1901 No 21(L)).

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An Act to provide for the Management of the Greytown and Masterton Public Cemetery and Park Reserves.

Preamble

WHEREAS it is desirable that section number thirty-eight in the Moroa Block, in the Wairarapa District, and Province of Wellington, and section number nineteen in the Township of Masterton, in the said district, being lands comprised in the Schedule to The Wellington Education Reserves Act 1871, should be conveyed to trustees for the purposes hereinafter mentioned:

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 Greytown and Masterton Public Park and Cemetery Reserve Management Act 1875.

This Act as far as it relates to the Masterton Park Trustees and the land, part of Section 19 in the Township of Masterton, vested in them under the provisions thereof in trust for park purposes and a public park, was repealed, as from 2 November 1901, by section 2 Masterton Public Park Management Act 1901 (1901 No 21(L)).

2 Survey of reserve in Moroa Block

As soon as conveniently may be after the coming into operation of this Act, the Superintendent shall cause portion of section number thirty-eight in the Moroa Block to be surveyed and set apart for a public cemetery for the inhabitants of Greytown, and the balance of such section for a public park or recreation ground; and shall also cause a portion of

the section number nineteen in the Township of Masterton to be surveyed and set apart for a public cemetery for the inhabitants of Masterton, and the balance of such section for a public park or recreation ground.

This Act as far as it relates to the Masterton Park Trustees and the land, part of Section 19 in the Township of Masterton, vested in them under the provisions thereof in trust for park purposes and a public park, was repealed, as from 2 November 1901, by section 2 Masterton Public Park Management Act 1901 (1901 No 21(L)).

3 Appointment of trustees

The Superintendent shall, as soon as conveniently may be after the coming into operation of this Act, appoint trustees for the management of the lands so set apart for cemetery and park purposes in Greytown and Masterton respectively; and on the death or absence from New Zealand for twelve months or resignation of any trustee, the Superintendent shall appoint some other fit and proper person to be a trustee in the place of such person who shall have died absented himself or resigned as aforesaid.

This Act as far as it relates to the Masterton Park Trustees and the land, part of Section 19 in the Township of Masterton, vested in them under the provisions thereof in trust for park purposes and a public park, was repealed, as from 2 November 1901, by section 2 Masterton Public Park Management Act 1901 (1901 No 21(L)).

4 Trustees of Greytown Cemetery incorporated

The trustees of the land so set apart for cemetery purposes in Greytown shall be a body corporate, with perpetual succession and a common seal, and shall be styled “The Greytown Cemetery Trustees.”

This Act as far as it relates to the Masterton Park Trustees and the land, part of Section 19 in the Township of Masterton, vested in them under the provisions thereof in trust for park purposes and a public park, was repealed, as from 2 November 1901, by section 2 Masterton Public Park Management Act 1901 (1901 No 21(L)).

5 Trustees of Greytown Park incorporated

The trustees of the land so set apart for park purposes in Greytown shall be a body corporate, with perpetual succession and a common seal, and shall be styled “The Greytown Park Trustees.”

This Act as far as it relates to the Masterton Park Trustees and the land, part of Section 19 in the Township of Masterton, vested in them under the provisions thereof in trust for park purposes and a public park, was repealed, as from 2 November 1901, by section 2 Masterton Public Park Management Act 1901 (1901 No 21(L)).

6 Trustees of Masterton Cemetery incorporated

The trustees of the land so set apart for cemetery purposes in Masterton shall be a body corporate, with perpetual succession and a common seal, and shall be styled “The Masterton Cemetery Trustees.”

This Act as far as it relates to the Masterton Park Trustees and the land, part of Section 19 in the Township of Masterton, vested in them under the provisions thereof in trust for park purposes and a public park, was repealed, as from 2 November 1901, by section 2 Masterton Public Park Management Act 1901 (1901 No 21(L)).

7 Trustees of Masterton Park incorporated

The trustees of the land so set apart for park purposes in Masterton shall be a body corporate, with perpetual succession and a common seal, and shall be styled “The Masterton Park Trustees.”

This Act as far as it relates to the Masterton Park Trustees and the land, part of Section 19 in the Township of Masterton, vested in them under the provisions thereof in trust for park purposes and a public park, was repealed, as from 2 November 1901, by section 2 Masterton Public Park Management Act 1901 (1901 No 21(L)).

8 Greytown Cemetery and Park

It shall be lawful for the Education Board of the Province of Wellington to convey to “The Greytown Cemetery Trustees” and their successors that part of section number thirty-eight in the Moroa Block which shall be surveyed and set apart for cemetery purposes, and also to convey to “The Greytown Park Trustees” and their successors that part of such section as shall be surveyed and set apart for park purposes.

This Act as far as it relates to the Masterton Park Trustees and the land, part of Section 19 in the Township of Masterton, vested in them under the provisions thereof in trust for park purposes and a public park, was repealed, as from 2 November 1901, by section 2 Masterton Public Park Management Act 1901 (1901 No 21(L)).

9 Masterton Cemetery and Park

It shall be lawful for the Education Board of the Province of Wellington to convey to “The Masterton Cemetery Trustees” and their successors that part of section number nineteen in the Township of Masterton as shall be surveyed and set apart for cemetery purposes, and to convey to “The Masterton Park Trustees” and their successors that part of such section as shall be surveyed and set apart for park purposes.

This Act as far as it relates to the Masterton Park Trustees and the land, part of Section 19 in the Township of Masterton, vested in them under the provisions thereof in trust for park purposes and a public park, was repealed, as from 2 November 1901, by section 2 Masterton Public Park Management Act 1901 (1901 No 21(L)).

10 Power to corporations to hold lands

It shall be lawful for each of the said corporations to receive endowments and hold any lands for the purposes mentioned in this Act for which such corporation respectively is incorporated.

This Act as far as it relates to the Masterton Park Trustees and the land, part of Section 19 in the Township of Masterton, vested in them under the provisions thereof in trust for park purposes and a public park, was repealed, as from 2 November 1901, by section 2 Masterton Public Park Management Act 1901 (1901 No 21(L)).

11 Vacancy not to invalidate proceedings

No act or proceeding of either of the said corporations shall be questioned on account of any vacancy in the body of trustees composing it.

This Act as far as it relates to the Masterton Park Trustees and the land, part of Section 19 in the Township of Masterton, vested in them under the provisions thereof in trust for park purposes and a public park, was repealed, as from 2 November 1901, by section 2 Masterton Public Park Management Act 1901 (1901 No 21(L)).

12 Proceedings not to be vitiated

No defect in the qualification or election of any person acting as a member of either of the said corporations shall be deemed to vitiate any proceeding in which he may have taken a part in cases where a majority of the members, parties to such proceeding, are entitled to act.

This Act as far as it relates to the Masterton Park Trustees and the land, part of Section 19 in the Township of Masterton, vested in them under the provisions thereof in trust for park purposes and a public park, was repealed, as from 2 November 1901, by section 2 Masterton Public Park Management Act 1901 (1901 No 21(L)).

13 Notice of meetings of corporation to be given

All acts matters and things which either of such corporations may do or determine with reference to the land under its authority may be done and determined by any three members of such corporation assembled at a meeting whereof due notice shall have been given.

This Act as far as it relates to the Masterton Park Trustees and the land, part of Section 19 in the Township of Masterton, vested in them under the provisions thereof in trust for park purposes and a public park, was repealed, as from 2 November 1901, by section 2 Masterton Public Park Management Act 1901 (1901 No 21(L)).

14 Provision for notice

Notice shall be deemed to have been duly given if the same shall have been inserted in a newspaper published nearest to the place at which such meeting is convened at least seven days prior to the date of such meeting.

This Act as far as it relates to the Masterton Park Trustees and the land, part of Section 19 in the Township of Masterton, vested in them under the provisions thereof in trust for park purposes and a public park, was repealed, as from 2 November 1901, by section 2 Masterton Public Park Management Act 1901 (1901 No 21(L)).

15 Chairman

At each such meeting a chairman shall be appointed, who shall not only vote as a member of the corporation, but in case of an equality of votes shall have a casting vote.

This Act as far as it relates to the Masterton Park Trustees and the land, part of Section 19 in the Township of Masterton, vested in them under the provisions thereof in trust for park purposes and a public park, was repealed, as from 2 November 1901, by section 2 Masterton Public Park Management Act 1901 (1901 No 21(L)).

16 Officers of corporations

It shall be lawful for each corporation to appoint officers and labourers for the custody and management of the land under its control, and to fix and pay the salary of such officers and

labourers and all necessary charges for the management and improvement of the said land.

This Act as far as it relates to the Masterton Park Trustees and the land, part of Section 19 in the Township of Masterton, vested in them under the provisions thereof in trust for park purposes and a public park, was repealed, as from 2 November 1901, by section 2 Masterton Public Park Management Act 1901 (1901 No 21(L)).

17 Management of lands

Subject to the purposes and trusts for which any land shall be conveyed to any such corporation, it shall be lawful for the corporation to which such land shall be conveyed to let from time to time, for any period not exceeding twenty-one years, all or any portion of its lands, and to fence the same or any part thereof, and to do all such acts as it may deem necessary for the management and improvement thereof, and to apply all rents to be received therefrom in such way as the corporation may think fit for the improvement of its property.

This Act as far as it relates to the Masterton Park Trustees and the land, part of Section 19 in the Township of Masterton, vested in them under the provisions thereof in trust for park purposes and a public park, was repealed, as from 2 November 1901, by section 2 Masterton Public Park Management Act 1901 (1901 No 21(L)).

18 Annual meeting for statement of accounts

Each corporation shall, once at least in every year, hold a public meeting, to be called by notice advertised in a newspaper published in or near to the town in which such corporation holds its meetings, and such notice shall be posted in some conspicuous place in such town, at which meeting a true statement of all transactions receipts and disbursements respecting the property of the corporation calling the meeting shall be presented in writing.

This Act as far as it relates to the Masterton Park Trustees and the land, part of Section 19 in the Township of Masterton, vested in them under the provisions thereof in trust for park purposes and a public park, was repealed, as from 2 November 1901, by section 2 Masterton Public Park Management Act 1901 (1901 No 21(L)).

19 Power to corporation to levy fees etc

It shall be lawful for “The Greytown Park Trustees” and “The Masterton Park Trustees” respectively, subject to the

approval of the Superintendent and his Executive Council, to fix and settle and receive such fees and payment in respect of admission of persons horses and vehicles into any portion or portions of the property vested in them respectively as they shall think fit, and from time to time with the like approval to revise and alter such fees and payments—

This Act as far as it relates to the Masterton Park Trustees and the land, part of Section 19 in the Township of Masterton, vested in them under the provisions thereof in trust for park purposes and a public park, was repealed, as from 2 November 1901, by section 2 Masterton Public Park Management Act 1901 (1901 No 21(L)).

20 Power to corporation to borrow

It shall be lawful for each corporation incorporated under this Act, from time to time, to borrow or take up money by way of loan, for the purpose of defraying expenses connected with the improvement of its property, at any rate of interest not exceeding sixteen dollars per centum, which loan or loans, together with the interest accruing thereon, shall be a first charge on the funds of the corporation after defraying expenses of management.

This Act as far as it relates to the Masterton Park Trustees and the land, part of Section 19 in the Township of Masterton, vested in them under the provisions thereof in trust for park purposes and a public park, was repealed, as from 2 November 1901, by section 2 Masterton Public Park Management Act 1901 (1901 No 21(L)).

The reference to “sixteen dollars” was substituted, as from 10 July 1967, for a reference to “eight pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

21 Limit of liability of trustees

No member of any such corporation shall be answerable or accountable for any but his own acts receipts neglects or defaults respectively, nor shall he be answerable for any misfortune loss or damage which may happen in the execution of the trusts or in relation thereto, except the same shall happen by or through his own wilful default.

This Act as far as it relates to the Masterton Park Trustees and the land, part of Section 19 in the Township of Masterton, vested in them under the provisions thereof in trust for park purposes and a public park, was repealed, as from 2 November 1901, by section 2 Masterton Public Park Management Act 1901 (1901 No 21(L)).

22 Power to fix payment and fees for burials

“The Greytown Cemetery Trustees” and “The Masterton Cemetery Trustees”, under such conditions and restrictions as they may think proper, and which shall have been approved by the Superintendent and his Executive Council, may sell the exclusive right of burial, either in perpetuity or for a limited period, in any part of their respective cemeteries, and also the right of constructing any vault or place of burial with the exclusive right of burial therein, in perpetuity or for a limited period, and also the right of erecting and placing any monument gravestone tablet or monumental inscription in their respective cemeteries; and shall also, subject to such approval as aforesaid, fix and settle and receive such fees and payment in respect of interments in their respective cemeteries as they shall think fit, and also the sums to be paid for the exclusive right of burial either in perpetuity or for a limited period, and also the right of erecting and placing any monument tablet gravestone or monumental inscription in their respective cemeteries, and may from time to time, subject as aforesaid, revise and alter such fees.

This Act as far as it relates to the Masterton Park Trustees and the land, part of Section 19 in the Township of Masterton, vested in them under the provisions thereof in trust for park purposes and a public park, was repealed, as from 2 November 1901, by section 2 Masterton Public Park Management Act 1901 (1901 No 21(L)).

23 Table of fees etc to be notified

A table, showing all fees and payments in respect of interment in such cemetery, shall be printed and published, and shall be affixed, and at all times continued, in some conspicuous part of such cemetery.

This Act as far as it relates to the Masterton Park Trustees and the land, part of Section 19 in the Township of Masterton, vested in them under the provisions thereof in trust for park purposes and a public park, was repealed, as from 2 November 1901, by section 2 Masterton Public Park Management Act 1901 (1901 No 21(L)).

24 Right of interment

Subject to such rules and regulations as shall be necessary for the preservation of decency and order, each cemetery shall be opened for the interment of all deceased persons to be buried

with such religious or other ceremonial, if any, as the friends of such deceased persons shall provide.

This Act as far as it relates to the Masterton Park Trustees and the land, part of Section 19 in the Township of Masterton, vested in them under the provisions thereof in trust for park purposes and a public park, was repealed, as from 2 November 1901, by section 2 Masterton Public Park Management Act 1901 (1901 No 21(L)).

25 Denominational rights

Any part or parts of such cemetery may, with the consent of the corporation to which it belongs, be appropriated and set apart for the exclusive use of any religious denomination.

This Act as far as it relates to the Masterton Park Trustees and the land, part of Section 19 in the Township of Masterton, vested in them under the provisions thereof in trust for park purposes and a public park, was repealed, as from 2 November 1901, by section 2 Masterton Public Park Management Act 1901 (1901 No 21(L)).

26 Penalty for improper conduct in cemeteries

Every person who shall play at any games or sport, or discharge firearms save at a military funeral in either of the said cemeteries, or who shall wilfully and unlawfully disturb any person or persons assembled in either cemetery for the purpose of burying any body therein, or who shall commit any nuisance within either cemetery, shall be liable to a penalty of not exceeding ten dollars for every such offence.

This Act as far as it relates to the Masterton Park Trustees and the land, part of Section 19 in the Township of Masterton, vested in them under the provisions thereof in trust for park purposes and a public park, was repealed, as from 2 November 1901, by section 2 Masterton Public Park Management Act 1901 (1901 No 21(L)).

The reference to “ten dollars” was substituted, as from 10 July 1967, for a reference to “five pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).

27 Penalty for injury to cemeteries

Every person who shall wilfully destroy or injure any building wall or fence belonging to either of the said cemeteries, or to any park recreation ground or any other public enclosure belonging to either of the corporations incorporated by this Act, or destroy or injure any plant or tree therein, or who shall daub or disfigure any wall thereof, or put up any bill therein

or on any wall thereof, or who shall wilfully destroy injure or deface any monument tablet inscription or gravestone within either of the said cemeteries, or do any other wilful damage to any property belonging to either of the said corporations, shall be liable to a penalty not exceeding ten dollars for every such offence.

This Act as far as it relates to the Masterton Park Trustees and the land, part of Section 19 in the Township of Masterton, vested in them under the provisions thereof in trust for park purposes and a public park, was repealed, as from 2 November 1901, by section 2 Masterton Public Park Management Act 1901 (1901 No 21(L)).

The reference to “ten dollars” was substituted, as from 10 July 1967, for a reference to “five pounds” pursuant to section 7(1) Decimal Currency Act 1964 (1964 No 27).