

VICTORIA.



ANNO QUINTO

EDWARDI SEPTIMI REGIS.

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No. 1995.

An Act to enable the Trustees of the Oakleigh Mechanics' Institute and Free Library Land to borrow Money for the purposes of the Trust.

[12th December, 1905.]

WHEREAS by an Order in Council dated the twentieth day of March One thousand eight hundred and ninety-three the land described in the First Schedule to this Act was reserved from sale permanently as a site for a Mechanics' Institute and Free Library at Oakleigh and trustees thereof have been appointed: and whereas in pursuance of the purposes of the trust a Mechanics' Institute and Free Library was established and a building therefor erected which has been destroyed by fire: and whereas the surviving trustees for the purpose of enabling them to erect a new building and more effectually carry out the objects of their trust have out of moneys acquired by them as such trustees purchased the lands described in the Second Schedule to this Act and desire to be empowered to borrow a sum not exceeding eight hundred pounds upon the security of the lands described in the said First Schedule and Second Schedule respectively and the income accruing therefrom: Be it therefore enacted by the King's Most Excellent Majesty by and with the advice and consent of the Legislative Council and the Legislative Assembly of Victoria in this present Parliament assembled and by the authority of the same as follows (that is to say):—

Preamble.

See Government Gazette 1893 pp. 1056 and 1509.

Register-book vol. 1669 fol. 333782.

1. This Act may be cited as the *Oakleigh Mechanics' Institute Act 1905.*

Short title.

2. (1) The

Power to trustees  
to borrow.

See No. 1212, sec. 3,  
and No. 1227, sec.  
3, and Second  
Schedule.

Restriction to use of  
money.

Approval of  
Governor in  
Council.

Penalty for  
misappropriations.

2. (1) The said trustees may for the purpose of erecting a Mechanics' Institute and Free Library and offices and conveniences connected therewith on any portion of the lands described in the First and Second Schedules to this Act borrow money upon mortgage to an amount not exceeding eight hundred pounds on the security of the said lands and buildings and the income accruing therefrom.

(2) Any money so borrowed shall be used only for the objects for which the land described in the First Schedule to this Act was reserved.

(3) No money shall be so borrowed until the amount to be borrowed and the application thereof have been approved by the Governor in Council and any moneys so borrowed shall be appropriated and applied accordingly.

3. If any appropriation not authorized by this Act be made of any moneys so borrowed the trustees who have consented to the misappropriation of such moneys in addition to any proceedings to which they may be liable in respect thereof shall be jointly and severally liable to refund the amount of such appropriation together with interest thereon and the same may in any Court of competent jurisdiction be recovered by the Board of Land and Works from such trustees or any of them as moneys lent to such trustees and may be sued for by any person appointed in that behalf by the said Board.

## SCHEDULES.

### FIRST SCHEDULE.

Land permanently reserved by Order in Council of the 20th March, 1893, as a site for a Mechanics' Institute and Free Library, *vide Government Gazette*, dated 24th February, 1893, page 1056, and dated 24th March, 1893, page 1509.

Thirty-five perches and a half, county of Bourke, parish of Mulgrave, town of Oakleigh, being allotment one of section forty-one: Commencing at the north-west angle of the allotment; bounded thence by a right-of-way bearing east two chains twenty-one links and seven-tenths; thence by a right-of-way bearing south one chain; thence by allotment two bearing west two chains twenty-two links and two-tenths; and thence by Drummond-street bearing N. 0° 18' E. one chain to the point of commencement.

### SECOND SCHEDULE.

All that piece of land containing thirty-five perches and six-tenths of a perch, more or less, being allotment two of section forty-one, in the town of Oakleigh, parish of Mulgrave, county of Bourke.

MELBOURNE:

By Authority: ROBT. S. BRAIN, Government Printer.