

Mr. Witty.

STEPHEN COLE MOULE TRUSTEES EMPOWERING.

[LOCAL BILL.]

ANALYSIS.

Title.	
Preamble.	
1. Short Title.	3. Payment by Colonial Treasurer of subsidy to Old Men's Home, Ashburton.
2. Weekly payments to Augusta Moule for maintenance of children of Stephen Cole Moule the younger.	4. Trustees to make payment to the Old Men's Home, Ashburton.

A BILL INTITULED

AN Act enabling the Trustees of the Estate of Stephen Cole Moule, deceased, to pay out of the Income of the Estate the Sum of Three Pounds per Week for the Maintenance and Benefit of the Children of Stephen Cole Moule, late of Picton, deceased (hereinafter called "Stephen Cole Moule the Younger"), during their Lives and the Life of the Survivor, and authorising the Colonial Treasurer to pay out of the Consolidated Funds of the Colony of New Zealand to the Local Body or Persons for the time being having the Management and Control of the Old Men's Home, Ashburton, further Subsidies, and directing and empowering the Trustees to pay the Residue and Remainder of the Net Income derived from the Estate of the said Stephen Cole Moule, deceased, to such Local Body or Persons. Title.

WHEREAS Stephen Cole Moule, late of Prebbleton, in the County of Selwyn and Colony of New Zealand, by his last will and testament, bearing date the twenty-seventh day of September, one thousand eight hundred and eighty-nine, directed the trustees thereof, after the death of his wife, Mary Moule, and the death of his only son, Stephen Cole Moule the younger, to pay and apply the net income of his trust estate for the benefit and maintenance of the Old Men's Home at Ashburton, being a charitable institution within the meaning of "The Hospitals and Charitable Institutions Act, 1885": And whereas it was further declared by the said will that the aforesaid provision for the benefit of the said institution was made on the express condition only that there should at all times for ever thereafter be paid out of the Consolidated Fund to the Board of the district having the control of the said charitable institution the annual subsidy of ten shillings for every pound of the said net income to the

extent of five hundred pounds in each year; and, further, that for the purpose of estimating the amount of the said annual subsidy the said net income of the said trust estate for each year applicable to the maintenance of the said institution should be deemed and taken to be a separate bequest for each year: And whereas the said Stephen Cole Moule died on or about the fifth day of October, one thousand eight hundred and ninety, and probate of his will was granted by the Supreme Court of New Zealand to John William Overton and Robert McGregor, the trustees named therein: And whereas Mary Moule, the widow of the said Stephen Cole Moule, died on or about the twenty-eighth day of July, one thousand eight hundred and ninety-two: And whereas Stephen Cole Moule the younger died on or about the fifteenth day of November, one thousand nine hundred, leaving him surviving a widow and three infant children: And whereas the trustees of the will of Stephen Cole Moule have paid the net income of the estate to the Ashburton and North Canterbury United Charitable Aid Board, as the local body having the management and control of the said institution, and the said Board has received from the consolidated revenue of the said colony the sum of five hundred pounds by way of subsidy, which is the maximum amount payable on any one bequest under the provisions of "The Hospitals and Charitable Institutions Act, 1885": And whereas it is expedient that the trustees of the said estate should have power to make provision out of the income of the estate for the maintenance, benefit, and advantage of the children of Stephen Cole Moule the younger during their respective lives: And whereas it is expedient that the Colonial Treasurer be authorised to pay to the local authority having the management and control of the Old Men's Home, Ashburton, out of the Consolidated Fund of the Colony of New Zealand the annual subsidy of ten shillings for every pound of the income received by the said local body or persons from the trustees of the estate of Stephen Cole Moule to the extent of five hundred pounds in each year, anything in any Act now in force in New Zealand to the contrary notwithstanding: And whereas it is expedient that the trustees of the estate of Stephen Cole Moule should have power to pay to the local body or persons having the management and control for the time being of the Old Men's Home at Ashburton the residue and remainder of the net annual income derived from the trust estate of Stephen Cole Moule, whether such annual subsidy be received by such local authority from the Consolidated Fund or not:

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

Short Title.

1. The Short Title of this Act is "The Stephen Cole Moule Trustees Empowering Act, 1903."

Weekly payments to Augusta Moule for maintenance of children of Stephen Cole Moule the younger.

2. The trustees for the time being of the estate of Stephen Cole Moule, late of Prebbleton, in the County of Selwyn, in the Provincial District of Canterbury, in the Colony of New Zealand, farmer, deceased, shall pay out of the income of the estate of the said Stephen Cole Moule, deceased, the sum of three pounds per week to Augusta Moule, the widow of Stephen Cole Moule the younger, or to

such other person or persons as the trustees in their discretion shall approve, for the maintenance, benefit, and advantage of the children of Stephen Cole Moule the younger, named respectively Charles Sydney Moule, Mary Augusta Moule, and Rosalie Ellen Moule, until
5 the eldest surviving child attains the age of twenty-one years; and thereafter the trustees shall pay to the eldest surviving child during his or her life the sum of one pound per week for his or her own use absolutely, and shall pay to Augusta Moule, or such person or persons as the trustees shall think fit, the sum of two pounds per week in lieu
10 of the aforesaid sum of three pounds per week for the maintenance, benefit, and advantage of the infant children or child then living of Stephen Cole Moule the younger until the next eldest surviving child attains the age of twenty-one years; and upon such child attaining the age of twenty-one years the trustees shall pay to such child
15 the sum of one pound per week during her life for her own use and benefit absolutely, and shall pay to Augusta Moule, or to such other person or persons as the trustees shall think fit, the weekly sum of one pound in lieu of the aforesaid weekly sum of two pounds for the maintenance, benefit, and advantage of the infant child of the said
20 Stephen Cole Moule the younger until such child attains the age of twenty-one years; and thereafter the trustees shall pay to such child during her life the weekly sum of one pound for her own use and benefit absolutely, and the payment of one pound per week to Augusta Moule shall then cease to be made by the trustees: Provided always
25 that upon the death of any of the said children of Stephen Cole Moule the younger the provision herein made for such deceased child shall be paid to the survivors in equal shares or applied for their maintenance and benefit, and if only one child be living, then the trustees shall pay to such child or apply the same for his or her maintenance,
30 benefit, and advantage the weekly sum of three pounds during his or her life.

3. The Colonial Treasurer is hereby authorised to pay to the local authority having the management and control of the Old Men's Home, Ashburton, out of the Consolidated Fund of the Colony of New
35 Zealand, the annual subsidy of ten shillings for ever pound of the net income paid to such local body by the trustees of the estate of Stephen Cole Moule to the extent of a sum not exceeding five hundred pounds in any year, anything in any Act now in force in New Zealand to the contrary notwithstanding.

40 4. The trustees of the estate of Stephen Cole Moule shall pay the residue and remainder of the net annual income derived from the estate of the said Stephen Cole Moule, deceased, to the local body or persons for the time being having the management and control of the Old Men's Home, Ashburton, and such income shall be so paid not-
45 withstanding that no subsidy shall have been received by such local authority in respect of any annual bequest or payment, and notwithstanding that the conditions or any of them attached by the will of Stephen Cole Moule to the bequest in favour of the Old Men's Home, Ashburton, have not or shall not be fulfilled or complied with.

Payment by
Colonial Treasurer
of subsidy to Old
Men's Home,
Ashburton.

Trustees to make
payment to the Old
Men's Home,
Ashburton.