TRANSCRIPT OF EVIDENCE GIVEN BY MR. B.J. JACOBS BEFORE THE LICENSING CONTROL COMMISSION IN 1949 WHEN PALMERSTON NORTH R.S.A. APPLIED FOR A CLUB CHARTER IN RESPECT OF THE ANZAC CLUB BUILDING

BERTRAM JOSEPH JACOBS upon his oath sayeth:-

1. MY name is Bertram Joseph Jacobs. I am a Solicitor in practice in Palmerston North. I am Deputy-Chairman of the Manawatu Patriotic Society (Incorporated). I am authorised to state the views of the said Society in connection with the above application.

2. I am well acquainted with the affairs of the Manawatu Patriotic Society (Incorporated) having been its Deputy-Chairman since 1922; I am also a past-President of the Palmerston North Returned Services Association having been President for 26 years.

3. THE origin of the premises occupied by the Palmerston North Returned Services Association is as follows:-

Following the outbreak of War in 1914 there was a desire by certain individuals for somewhere where members of the Armed Forces could meet. The late Mr. P.A. McHardy donated the present site to be used for a raffle for that purpose, the winner having the right to take the land or a specified sum in cash. The winner took cash. The proceeds from the raffle were sufficient for the erection of the club building, to purchase the caretaker's cottage and to endow the club with a considerable sum of money. The endowment fund is now quite small having been expended over the years in maintenance repairs rates and taxes. The club premises and caretaker's cottage are vested in the Manawatu Patriotic Society (Incorporated).

The management and control of the Club premises was originally vested in the joint committees of the Manawatu Patriotic Society and the Palmerston North R. S. A. In 1921 or 1922 the entire management and control of the club was transferred to the R. S. A. A long term lease to the Palmerston North R.S.A. at a peppercorn rental was prepared. The document however was abandoned when the Stamp Office demanded Gift Duty thereon and throughout the years the R.S.A. has occupied the premises as a Soldier's Club for the use of the members of the Palmerston North R. S. A. and approved members of other Associations affiliated to the N.Z. R. S. A.

4. THE Manawatu Patriotic Society has by resolution approved the application by the Palmerston North R. S. A. for a club charter and authorised the making of any necessary alterations to the Club premises.

3/3117 PERCY GORDON BROOKIE of Palmerston North, Retired.

I was in Camp with the Medical Corps on Awapuni Racecourse at Palmerston North and was one of a section marched in to town to take part in the ceremony of laying the foundation stone of the building now occupied by the R.S.A. Although I was young at the time and did not take very much interest in these matters I do recall Percy McHardy giving the land and the funds being raised locally for the building which was for the benefit of returned men generally. I remember my father who farmed in the district giving stock to be sold in fund raising for this purpose. I was always under the impression that the building and property was owned by the R.S.A. and it was a shock to me to learn only now that this is not so. The foundation stone was laid about January 1917

P. G. BROOKIE

SYNOPSIS

1. THE Manawatu Patriotic Society is a Society Incorporated under the provisions of "The War Funds Act 1915".

2. THE Society was during the years of World War 1 engaged in the raising of funds for Patriotic purposes. In this connection the late Mr. Percy McHardy gave to the Society the section of land on which the Anzac Club building in question now stands to be raffled in order to raise funds for Patriotic purposes. This was done and the prize offerred was the section of a cash prize. The winner elected to take the cash prize and the Society was asked to give the land for the erection of a Club for returned soldiers. This was done and two art unions raised £16000 approximately. The building cost £6700. The balance formed the "Anzac Fund" and was set aside for repairs maintenance etc.

3. THE Anzac Fund has since its inception been kept as a separate fund in the accounts of the Society and has been quite distinct from the other funds of the Society used for Welfare purposes.

4. THE R.S.A. was incorporated on 31st January 1917 and on the opening of the Club on 10th December 1917 became the first occupant of the building and has remained so ever since.

5. IN the first instance the property was administered by an Anzac Club Executive which comprised representatives of both the Manawatu Patriotic Society and the Palmerston North R.S.A. This continued until 1921 or 1922 when the entire management and control of the Club and property was transferred to the R.S.A. The rates repairs and maintenance were met by payments from the Anzac Fund of the Manawatu Patriotic Society until 1949 when the R.S.A. applied for a Club Charter and arranged with the Patriotic Society that in consideration of it giving consent to the Charter application and in view of the fact that the Anzac Fund was reduced to approximately £1000 the R.S.A. would assume responsibility for the total outgoings which it has done since then and is still doing.

6. BY reason of its nature the Welfare Funds of the Manawatu Patriotic Society (as distinct from the Anzac Fund) have been and still are available for the assistance only of World War I Returned Servicemen who enlisted in Palmerston North.

7. THE R.S.A. represents all returned servicement of whatever war and its welfare funds and the amenities of the club it conducts are available to all ex-servicement.

8. THE Manawatu Patriotic Society was Incorporated under the provisions of "The War Funds Act 1915". In this Act a War Fund is defined in Section 2 as follows:-

"War Fund" means any fund heretofore or that may hereafter be raised wholly or in part by private subscription for any purpose in connection with the present war and in particular for any of the following purposes namely:-" (None of the examples given refer to a servicements club).

By The War Funds Amendment Act 1918 Section 2 the definition of a War Fund was extended to include "all investments securities and other property whatsoever belonging to or under the administration of the trustees of a war fund in their capacity as such".

Although the extended definition would bring the Anzac Club building and fund within the definition it is submitted that there

and such funds are adequate for the purposes namely the Welfare of World War I personnel who enlisted in Palmerston North. At the present rate of spending the Welfare Funds of the Society will last approximately another 10 years and the number of men entitled to participate (i.e. World War I Vetrans who enlisted in Palmerston North) will be negligible. In addition to the funds of the Society the welfare of such personnel is catered for by the Welfare funds of the Palmerston North R.S.A. and the New Zealand R.S.A. which it is affiliated and the funds of the National Patriotic Fund Board through its agencies so that if the Anzac Club Building and Anzac Fund are transferred to the Palmerston North R.S.A. the welfare of World War I Vetrans who enlisted in the Manawatu will not be prejudiced in any way.

PALMERSTON NORTH RETURNED SERVICES ASSOCIATION

George Street
Palmerston North

The Chairman
The Manawatu Patriotic Society
PALMERSTON NORTH

Dear Sir,

re George Street B uilding and Anzac Fund

Further to preliminary discussions between my associati and your Society it is submitted as follows:-

1. That the Manawatu Patriotic Society holds in trust for all returned servicemen of the District the Anzac Club building situate in George Street Palmerston North and the fund designated as the "Anzac Fund" in the books of your Society.
2. That the Palmerston North RSA is the duly constituted body representing the welfare and interests of all returned servicemen in the Palmerston North area from the Boer War to the present time.
3. That the Palmerston North RSA now requests the Manawatu Patriotic Society:-
   (a) To transfer to the Palmerston North RSA the freehold title to the Anzac Club property situate in George Street Palmerston North together with the funds representing the Anzac Fund in the books of the Society so held in trust and for such purposes -
   (b) To take such steps as your Society may think proper to obtain the necessary authority to effect such transfer legally and-
   (c) If necessary to take such action as may be necessary to initiate the passing of an enabling Act of Parliament to authorise such transfer.
4. That annexed hereto and forming part of this request is a synopsis of such historical and other data as is available r elating to the said property and the fund.

My Association will be glad if your Society will accord the request contained in this letter its earliest consideration. This is a matter which perhaps should have been dealt with some years ago and which in the interests of both the Manawatu Patriotic Society and the Palmerston North RSA should now be resolved.

I await with interest to learn of the steps taken by your Society to give effect to the request contained in this letter.

Yours faithfully,

President
Palmerston North RSA