

New Zealand.

## ANALYSIS.

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1908, No. 5.—*Local.*

Title.

AN Act to enable the Roman Catholic Archbishop of Wellington to sell and dispose of certain Lands in the City of Wellington, and to devote the Net Proceeds in or towards the Purchase of certain other Land situate in the said City, and in or towards the Erection of School Buildings thereon, and in or towards the Upkeep of the Roman Catholic Cemetery in the said City.

[15th September, 1908.]

Preamble.

WHEREAS by a Crown grant dated the tenth day of August, eighteen hundred and fifty-three, and registered in the Deeds Registry Office at Wellington as number seven thousand three hundred and seventy-eight, certain land comprised in the First Schedule hereto was vested in the Right Reverend Philip Joseph Viard, Bishop of the Roman Catholic Church at Wellington, and his successors Bishops of the Roman Catholic Church at Wellington: And whereas by a Crown grant dated the twenty-seventh day of July, eighteen hundred and fifty-three, certain land comprised in the Second Schedule hereto was vested in the said Philip Joseph Viard and his successors Roman Catholic Bishops of Wellington, in trust to permit the land to be for ever used and appropriated as a cemetery for the burial of members of the Roman Catholic religion exclusively, and to, for, and upon no other use, trust, intent, or purpose whatsoever: And whereas under and by virtue of the provisions of the Roman Catholic Lands Extension Act, 1890, the said lands became vested in the Roman Catholic Archbishop of Wellington: And whereas school buildings were erected on the land comprised in the First Schedule, wherein for many years past a school has been con-

ducted under the superintendence of the Roman Catholic Archbishop of Wellington: And whereas owing to the growth and expansion of the City of Wellington the Archbishop resolved to sell the land described in the First Schedule hereto and acquire other lands in the said city for the purpose of erecting thereon school buildings for more effectively providing for education within the Archdiocese of Wellington: And whereas part only of the land comprised in the Second Schedule has been utilised for, and the remainder can no longer be used as, a cemetery: And whereas the Archbishop is desirous of obtaining power to lease the part of the land comprised in the Second Schedule not utilised as a cemetery, and to devote the proceeds thereof to the upkeep of the said cemetery: And whereas the powers requisite to enable the Roman Catholic Archbishop of Wellington to effectuate such sale and lease and to expend the proceeds thereof in manner aforesaid are not attainable otherwise than by legislation:

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

1. This Act may be cited as the Roman Catholic Archbishop of Wellington Empowering Act, 1908. Short Title.
2. In the interpretation of this Act the expression “the Archbishop” shall mean and include the Roman Catholic Archbishop or Bishop of the Archdiocese or Diocese of Wellington for the time being. Interpretation.
3. It shall be lawful for the Archbishop to sell and dispose of the lands comprised in the First Schedule hereto, together with the buildings thereon, either by public auction or private contract, upon such terms and conditions, at such time or times, in such manner, and for such sum or sums as he may deem fit, and to convey and transfer the same to any purchaser or purchasers freed and discharged of and from any trusts. Archbishop may sell.
4. The net proceeds of such sale, after providing for the necessary costs and expenses thereof, shall be expended by the Archbishop in or towards the purchase of lands in the City of Wellington, and the erection of substantial buildings thereon. Application of purchase-money
5. For the purpose of enabling the Archbishop to erect school buildings and teachers’ dwellings on the lands so purchased it shall be lawful for the Archbishop from time to time to borrow on the security of the said lands or any of them, or any part or parts thereof respectively, and on the buildings intended to be erected thereon, any sum or sums of money not exceeding in all the sum of seven thousand five hundred pounds, by means of a mortgage or mortgages thereof, such mortgage or mortgages to contain all such covenants, provisoes, agreements, powers of sale, and other powers and conditions as may be agreed upon by the Archbishop and mortgagee or mortgagees. Archbishop may borrow.
6. The Archbishop shall have the same powers to lease that part of the land comprised in the Second Schedule hereto and not utilised as a cemetery as are vested in him in respect of other lands by the Roman Catholic Lands Act, 1876. Power to lease

Provisions as to  
subdivision.

7. For the purpose of enabling the Archbishop to more effectively lease the said lands, it shall be lawful for him to subdivide the said land not utilised as a cemetery and lay out and form streets thereon in conformity with the requirements of the Municipal Corporations Act, 1908, and its amendments, and dedicate the same and any other portions of the said land that may, under the provisions of the Public Works Act, 1908, require to be dedicated to enable the said land to be effectively subdivided.

Schedules.

## SCHEDULES.

### FIRST SCHEDULE.

ALL that piece or parcel of land situate in the City of Wellington, containing 2 roods 34 perches, more or less, being part of the section numbered 511 on the plan of the said city: bounded towards the north by Section 512 on the said plan, 357 links; towards the east by other part of the said section numbered 511, 200 links; towards the south by Section 510 on the said plan, 357 links; and towards the west by Boulcott Street, 200 links: be the same several measurements and each of them a little more or less: and being the land described in Crown Grant No. 703, registered at Wellington as No. 7378.

### SECOND SCHEDULE.

ALL that piece or parcel of land situate in the City of Wellington, comprising 2 acres 3 roods 20 perches or thereabouts: bounded towards the north and north-east by Upland Road, 420 links and 135 links respectively; towards the east by Grave-yard Road, 530 links and 170 links respectively; and towards the south-west and north-west by the Town Belt, 500 links and 420 links respectively: and being all the land described in Crown Grant No. 69.