

AUCKLAND ROMAN CATHOLIC, TAKAPUNA AND  
NELSON STREET ENDOWMENT SALES ACT, 1858.

NEW ZEALAND.



VICTORIÆ REGINÆ.

ANNO VICESIMO PRIMO

SESSION V., No. .

ANALYSIS.

- |  |   |
|--|---|
| Title.   |   |
| Preamble.  |   |
| 1. Power to sell lands, &c., at Auckland.  | 3. Appointment of Trustees.                       |
| 2. Trustees to Invest proceeds in purchase of other lands and to erect buildings and hold same upon like Trusts. | 4. Trustees receipts to be sufficient discharges. |
|  | 5. Short Title.                                   |

AN ACT, to authorise the Sale of certain Lands at Takapuna, in the North Suburbs of Auckland, appropriated for the maintenance and Education of Children of both Races and of Children of other poor Persons being Inhabitants of the Islands in the Pacific Ocean; and likewise to authorise the Sale of Land situated in Nelson Street, City of Auckland, and set apart as a site for the erection of a Church, for the Roman Catholic Natives. Title.

WHEREAS by a certain deed of Grant bearing date the 19th day of August, 1850, under the seal of the Province of New Ulster All that allotment number (22) twenty two, Parish of Takapuna, County of Eden, bounded on the North by a Road (780) seven hundred and eighty links, on the East by a swamp by number (23) twenty three, (2030) two thousand and thirty links, on Preamble.



the South by a Road (690) six hundred and ninety links, and on the West by a Road (2580) two thousand five hundred and eighty links, and containing (19a. 3r. 33p.) nineteen acres three roods and thirty three perches, more or less. All those allotments being numbers (32) thirty two, (33) thirty three, and (34) thirty four in the Parish before named, bounded on the North by a Road (1540) one thousand five hundred and links and (3375) three thousand three hundred and seventy five links, on the West by a Road (2280) two thousand two hundred and eighty links, on the South by a Road (760) seven hundred and sixty links, and by a swamp and on the East by Shoal Bay, and together containing (66a. 2r. 9p.) sixty six acres two roods and nine perches, more or less.

All those allotments being numbers (35) thirty five, (36) thirty six and (37) thirty seven of the Parish before named, bounded on the North by Shoal Bay, on the West by a Road, (1680) one thousand six hundred and eighty links, on the south by a road, (3300) three thousand three hundred links, and (1510) one thousand five hundred and ten links, and together containing (66a. 2r. 34p.) sixty six acres two roods and 34 perches, more or less.

All those allotments being numbers (39) thirty nine, (40) forty, (41) forty one, (42) forty two, (43) forty three, (44) forty four, (45) forty five, (46) forty six, (47) forty seven, (48) forty eight, (49) forty nine, (50) fifty, of the Parish before named bounded on the North by number (68) sixty eight, (1700) one thousand seven hundred links, and by number (38) thirty-eight (1000) one thousand links, and (1740) one thousand seven hundred and forty links, on the East by a Road (5000) five thousand links, on the south by a Road (4000) four thousand links, and on the West by a Road (8000) eight thousand links, and together containing (223a. 0r. 32p.) two hundred and twenty acres and thirty two perches more or less, together with the rents issues and proceeds thereof were granted unto "The Bishop of the Roman Church at Auckland, and his successors Bishops of the Roman Catholic Church at Auckland, to hold unto the said Bishop and his successors, in trust for the use or towards the support and maintenance and the Education of children of both races and of children of other poor and destitute persons being Inhabitants of the Islands in the Pacific Ocean.

AND WHEREAS by deed of Grant bearing date the 16th day of September, in the year 1852, under the Seal of the Province of New Ulster, all that piece or parcel of Land, containing by admeasurement 1r. 2p. one rood and two perches more or less, situated in the City of Auckland, Parish of Waitemata, County of Eden, and being number (10) ten, of Section (25) twenty-five, bounded on the North by number (9) nine, (291) two hundred and ninety one links on the East by number (7) seven, (90) ninety links on the South by number (11) eleven, (291) two hundred and ninety one links, and on the West by Nelson Street together with all the rights and appurtenances whatsoever thereto belonging, was granted unto the Bishop of the Roman Catholic Church at Auckland for the time being in Trust, as a Site for the Erection of a Church for the Roman Catholic Natives.

*The  
land  
Auckland  
New Zealand*



AND WHEREAS the said allotments have become inappropriate for the purposes of the said Trusts, and the said Trustee is desirous of selling and disposing of the same, and of investing the funds to arise from such sale or sales in the purchase of other and more appropriate sites, and for the erection thereon of suitable buildings, to be appropriated and used for the purposes of the said Trusts.

BE IT ENACTED by the General Assembly of New Zealand as follows:—

I. It shall be lawful for the said Trustee for the time being, of the said pieces or parcels of land and hereditaments and premises so appropriated for the maintenance of a School and for the erection of a Maori Church respectively, in connexion with the Roman Catholic Church aforesaid, at any time after the passing of this Act, absolutely to sell and dispose of the said Trust premises either by Public Auction or by Private Contract, and in such manner as the Trustee for the time being shall think fit and to convey the same Trust premises when sold to the person or persons, who shall agree to become the purchaser or purchasers thereof.

Power to sell lands, &c., at Auckland.

*or any part thereof*

II. The said Trustee for the time being shall immediately after such Sale, or so soon as convenient, lay out and invest the money which shall arise from ~~such Sale or Sales~~ in the purchase of other Lands, and to be appropriated and used for the like Trusts, *the moneys arising from the sale of any land*

Trustees to invest proceeds in purchase of other lands and to erect buildings and hold the same upon like Trusts.

*The money can in the deed be included for receipt of day of Aug 1850*

III. And the said Roman Catholic Bishop of Auckland and his Successors Roman Catholic Bishops for the time being, shall stand and be seized of the hereditaments so to be purchased as aforesaid, upon Trust to permit the same to be for ever appropriated and used, as, and for the like Trusts aforesaid.

*included in the deed of Grant dated the 16th day of Sept 1852, may lay out & invest in other lands the appropriated used as aforesaid, or in the erection of buildings in a convenient & suitable locality with the neighbourhood of the City of Auckland to be used for the purposes of the Roman Catholic Church for the Natives.*

Appointment of Trustees.

Trustees receipt to be sufficient discharge.

IV. Every receipt which shall be given by the said Trustee for the time being, for the purchase money of the hereditaments hereby authorised to be sold, shall be a good, valid, and sufficient acquittance for the same, and every sale which shall be made and every contract which shall have been entered into and every conveyance which shall be executed, by the said Trustee for the time being under the authority of this Act, shall be binding and conclusive on all persons claiming any benefit or interest under the Trusts of the said Deed of Grant, of the 19th day of August 1850, or under the Trusts of the said Deed of Grant of the 16th day of September, 1852.

V. This Act may be cited for all purposes as the "Auckland Roman Catholic, Takapuna and Nelson Street Endowments Sales Act, 1858."

Short Title.