

This PRIVATE BILL originated in the HOUSE OF REPRESENTATIVES, and, having this day passed as now printed, is transmitted to the LEGISLATIVE COUNCIL for its concurrence.

House of Representatives,

29th September, 1949

Right Hon. Mr. Nash

**KNOX PRESBYTERIAN CHURCH
(LOWER HUTT) CEMETERY**

[PRIVATE BILL]

ANALYSIS

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A BILL INTITULED

AN Act to Authorize the Presbyterian Church Property Trustees, Duly Incorporated Under the Presbyterian Church Property Act, 1885, and the Amendments Title.
5 **Thereof, to Remove all Headstones, Monuments, and Grave Surrounds Erected in the Cemetery on the Grounds of Knox Presbyterian Church Situate in High Street in the City of Lower Hutt, to Level and Plant the Ground so Affected, and to Erect a**
10 **Monument Common to all Persons Interred in the Said Cemetery.**

WHEREAS the Presbyterian Church Property Trustees, a body incorporated under the provisions of the Presbyterian Church Property Act, 1885, and the Preamble.
15 **amendments thereof, is registered as the proprietor of an estate in fee-simple in all that piece of land more particularly hereinafter described: And whereas the**

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Cemetery

said piece of land has been used as a burial-ground, but no interment of human remains has taken place therein since nineteen hundred and thirteen, and no further interments are likely to take place therein: And whereas the trustees have experienced difficulty in keeping the said piece of land and the headstones, monuments, and grave surrounds thereon in a neat and tidy condition: And whereas it is expedient that the said headstones, monuments, and grave surrounds should be removed and the said piece of land levelled and laid out in lawns with ornamental trees and shrubs: And whereas the trustees have no power without legislation to give effect to their wishes: 5 10

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:— 15

Short Title.

1. This Act may be cited as the Knox Presbyterian Church (Lower Hutt) Cemetery Act, 1949.

Interpretation.

2. In this Act, if not inconsistent with the context,—
“The said piece of land” means the burial-ground forming part of the Knox Presbyterian Church property, High Street, Lower Hutt, being part of Section 35 of the Hutt District, and being part of the land contained in certificate of title, Volume 348, folio 17, Wellington Registry: 20 25

“The trustees” means the Presbyterian Church Property Trustees duly incorporated under the Presbyterian Church Property Act, 1885, and the amendments thereof. 30

Power to remove headstones, &c.

3. The trustees may and they are hereby empowered to remove all headstones, monuments, and grave surrounds at present erected on the said piece of land and to close the same as a burial-ground in respect of future interments. 35

Records to be kept.

4. The trustees shall cause to be kept as complete a record as possible of the names of all persons known to be buried in the said piece of land and of the position in the same of the graves of such persons, and such record shall be available for inspection at the offices of the trustees at all reasonable times. 40

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5. The trustees shall, as soon as conveniently may be after the removal of the said headstones, monuments, and grave surrounds, cause the said piece of land to be levelled and planted in grass, trees, and shrubs, and at all times thereafter kept in a tidy condition, and also shall cause to be erected on the said piece of land a suitable memorial inscribed with the names of the persons known to be interred therein.
6. Nothing herein shall empower or be deemed to empower the trustees to remove or disturb the remains of any persons buried in the said piece of land nor to dispose of the said piece of land nor to use the same for any purpose other than as a closed burial-ground.
7. This Act is hereby declared to be a private Act.

Land to be kept in tidy condition and common memorial erected.

Remains not to be removed nor land used except as closed burial-ground.

Private Act.