

30th July, 1908.

Mr. Izard.

ROMAN CATHOLIC ARCHBISHOP OF WELLINGTON
EMPOWERING.

[PRIVATE BILL.]

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A BILL INTITULED

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 cer-
tain 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.

Title.

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 hundred and three~~
seven thousand three hundred and seventy-eight, certain land com-
prised 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 conducted under the superintend-
ence of the Roman Catholic Archbishop of Wellington: And whereas
owing to the growth and expansion of the City of Wellington the

Preamble.

Archbishop resolved to acquire other lands in the said city, being the lands described in the *Third* and *Fourth* Schedules hereto, or 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: 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 Roman Catholic Archbishop of Wellington Empowering Act, 1908.
- Interpretation. 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. 20
- Archbishop may sell. 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. 25 30
- Application of purchase-money. 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 the lands comprised in the *Third* and *Fourth* Schedules hereto, or other lands in the *City of Wellington*, and the erection of substantial buildings thereon. 35
- Archbishop may borrow. 5. For the purpose of enabling the Archbishop to erect school buildings and teachers' dwellings on the lands described in the *Third* and *Fourth* Schedules hereto or either of them, or other lands in the *City of Wellington*, it shall be lawful for the Archbishop from time to time to borrow on the security of the said lands or either 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, provisos, agreements, powers of sale, and other powers and conditions as may be agreed upon by the Archbishop and mortgagee or mortgagees. 40 45
- Power to lease. 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. 50
- 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

5 said land not utilised as a cemetery and lay out and form streets thereon in conformity with the requirements of the Municipal Corporations Act, 1900, 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, 1905, 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.

THIRD SCHEDULE.

ALL that piece of land, situate in the City of Wellington, containing 3 roods 17·9 perches, being part of Lots 1 and 5 on Deposited Plan No. 1266, Land Registry Office, Wellington, subdivision of Section 737, Wellington; and being the whole of the land comprised in certificate of title, Volume cxlix, folio 185.

FOURTH SCHEDULE.

ALL that piece of land, situate in the City of Wellington, containing 1 rood 9·1 perches, being part of Sections 566 and 567, Wellington; and being the whole of the land comprised in certificate of title, Volume clxx, folio 76.