

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,
16th December, 1921.*

Mr. McCallum.

ROMAN CATHOLIC ARCHBISHOP EMPOWERING.

[PRIVATE BILL.]

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A BILL INTITULED

5 AN ACT to enable the Roman Catholic Archbishop of Wellington to sell and dispose of certain Lands in the Archdiocese of Wellington, and to apply the Net Proceeds thereof in or towards the Purchase of other Lands in the Archdiocese and in or towards the Erection of Church and School Buildings, and to authorize the Raising of Money on the Security of the Lands so acquired, or any of them. Title.

10 WHEREAS throughout the Roman Catholic Archdiocese of Wellington there are certain lands originally granted and acquired for the purposes of erecting churches and school buildings thereon: And whereas the said lands are now no longer suitable for such purposes: And whereas all the said lands are vested in the Roman Catholic Archbishop of Wellington for the time being as a corporation sole in virtue of the
15 provisions of the Roman Catholic Lands Act, 1876, as amended by the Roman Catholic Lands Extension Act, 1890: And whereas the said Acts confer on the said Archbishop power to lease the said lands or any of them for any term not exceeding forty-two years, but no provision is made thereby enabling the said Archbishop to sell any lands vested
20 in him as aforesaid: And whereas it is desirable that the said lands (hereinafter referred to and more particularly described in the *First* Schedule hereto) should be sold and the proceeds thereof applied in the purchase of other lands in the said Archdiocese and in the erection of church and school buildings; And whereas certain lands (more
25 particularly described in the *Second* Schedule hereto) were granted or conveyed in trust for the purposes of worship in accordance with the tenets of the Roman Catholic Church: And whereas the persons in whom the said lands were so vested in trust are now deceased: Preamble

And whereas other lands (more particularly described in the *Third* Schedule hereto) were and are vested in the Roman Catholic Archbishop of the Archdiocese of Wellington for the time being, but the title thereto has been lost: And whereas it is desirable that the said lands should likewise be sold and the proceeds thereof applied as aforesaid: And 5
whereas the powers requisite to enable the said Archbishop to sell such lands or any of them and to apply the proceeds as aforesaid are attainable only by legislation:

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, 10
as follows:—

Short Title.

1. This Act may be cited as the Roman Catholic Archbishop Empowering Act, 1921.

Interpretation.

2. In the interpretation of this Act the expression "the Archbishop" shall mean and include the Roman Catholic Archbishop 15
or Bishop of the Archdiocese of Wellington for the time being.

Archbishop may sell certain lands and may invest the proceeds pending application thereof.

3. Subject to the provisions of section *five* hereof, it shall be lawful for the Archbishop to sell, dispose of, convey, transfer, and assure the lands described in the Schedules hereto or any of them, or any part thereof, to apply the proceeds thereof in the purchase of other lands and 20
in the erection of church and school buildings in the said archdiocese, and, pending the application of such proceeds as aforesaid, to invest any moneys arising from the sale or disposition of such lands or any part thereof in any manner in which trustees may lawfully invest trust 25
moneys.

Archbishop may borrow.

4. For the purpose of erecting such buildings as aforesaid, it shall be lawful for the Archbishop from time to time to borrow and raise money by way of mortgage on the security of lands acquired by the proceeds of sale as aforesaid, or any of them, or on the security of any part or parts thereof, and of the buildings erected or 30
to be erected thereon, and every such mortgage shall contain such covenants, conditions, and powers as may by law be implied, or (not being inconsistent with this Act) as may be agreed upon by and between the Archbishop and the mortgagee or mortgagees, as the case may be. 35

Conditions of trust to apply to proceeds of sale of trust lands and to lands purchased out of such proceeds.

5. Where it is a condition in any deed or instrument creating a trust in respect of any of the said lands that the same shall enure only within the limits of any provincial district, county, or borough named therein, then and in every such case the moneys realized by the sale or disposition of such lands or any of them, or the lands acquired by the 40
proceeds of such sale or disposition, shall be invested or held, and shall continue subject to the like condition or trust in so far as the same shall not conflict with the provisions of the Roman Catholic Lands Act, 1876.

Certificates of title to be issued in respect of certain lands.

6. The District Land Registrars for the Marlborough and Wellington Land Districts respectively are hereby empowered and directed, subject 45
in each case to a Warrant in that behalf under the hand of the Governor-General, to issue certificates of title in the name of the said Archbishop for the lands referred to in the *Second* and *Third* Schedules hereto respectively.

SCHEDULES.

Schedules.

FIRST SCHEDULE.

1. ALL that allotment or parcel of land, situated in the Town of New Plymouth and Provincial District of Taranaki, containing by admeasurement 2 roods 2 perches, more or less, being Sections 1499 and 1500 on the map of the said Town of New Plymouth: bounded towards the north by Courtenay Street, 251 links; towards the east by Section 1501, 205 links; towards the south by Sections 1526 and 1525, 251 links; and towards the west by Section 1498, 205 links: and being the whole of the land comprised in Crown Grant No. 3733, dated the 5th day of March, 1884.

2. All that allotment or parcel of land, situated in the Town of New Plymouth and Provincial District of Taranaki, containing by admeasurement 2 roods 2 perches, more or less, being Sections 1526 and 1527 on the map of the said Town of New Plymouth: bounded towards the north by Sections 1500 and 1501, 250 links; towards the east by Section 1528, 205 links; towards the south by Leach Street, 250 links; and towards the west by Section 1525, 205 links: and being the whole of the land comprised in Crown Grant No. 3734, dated the 5th day of March, 1884.

3. All that allotment or parcel of land, situated in the Kaponga Village Settlement and Provincial District of Taranaki, containing by admeasurement 1 acre, more or less, being Section 17, Block XI, of the Kaipokonui Survey District: bounded towards the north by Section 6, 229 links; towards the east by Section 16, 437 links; towards the south by Eltham Road, 229 links; and towards the west by Section 18, 437 links: and being the whole of the land comprised in certificate of title, Volume 13, folio 47, dated the 16th day of August, 1883.

4. All that allotment or parcel of land, situated in the Town of Eltham and Provincial District of Taranaki, containing by admeasurement 3 roods 26 perches, more or less: bounded towards the north by Section 12, 223 links; towards the east by part Section 74, 453.3 links; towards the south by Eltham Road, 138.1 links; and towards the west by part Section 74, 380 links: being part of Section 74 on the deposited plan No. 705 of the said Town of Eltham, and the whole of the land comprised in certificate of title, Volume 29, folio 155, dated the 24th day of January, 1895.

5. All that allotment or parcel of land, situated in the Kaipokonui Survey District and Provincial District of Taranaki, containing by admeasurement 5 acres, more or less, being Section 54, Block XI, on the public map of the Kaipokonui Survey District; bounded towards the north by Sections 52 and 53, 513.4 links; towards the east by Section 55, 974 links; towards the south by a public road, 513.4 links; and towards the west by a public road, 974 links: being Section 54 on the said map, and the whole of the land comprised in certificate of title, Volume 26, folio 37, dated the 10th day of November, 1892.

6. All that allotment or parcel of land, situated in the Township of Kimbolton and Provincial District of Wellington, containing by admeasurement 1 rood 39.7 perches, more or less: bounded towards the north by Section 29, 75.9 links; towards the east by Section 31, 654.4 links; towards the south by Henderson Street, 76.03 links; and towards the west by Section 32, 657.6 links: being part of Suburban Section 31 and the whole of the land comprised in certificate of title, Volume 171, folio 299, dated the 6th day of April, 1908.

7. All that allotment or parcel of land, situated in the Township of Shannon and Provincial District of Wellington, containing by admeasurement 1 rood, more or less: bounded towards the north by Section 281, 250 links; towards the east by Vance Street, 100 links; towards the south by a public street, 250 links; and towards the west by Section 264, 100 links: being Section 282 on the plan of the said Township of Shannon No. 368, and the whole of the land comprised in certificate of title, Volume 60, folio 112, dated the 1st day of September, 1891.

8. All that allotment or parcel of land, situated in the Borough of Levin and Provincial District of Wellington, containing by admeasurement 2 roods, more or less: bounded towards the north-east by Section 66, 250 links; towards the north-west by Reeves Street, 200 links; towards the south-west by Section 63, 250 links; and towards the south-east by Sections 36 and 35, 200 links: being Lots 64 and 65 on deposited plan No. 687, and part of Subdivision 10, Horowhenua Block, and the whole of the land comprised in certificate of title, Volume 95, folio 12, dated the 27th day of May, 1898.

9. All that allotment or parcel of land, situated in the Borough of Levin and Provincial District of Wellington, containing by admeasurement 1 rood 20 perches, more or less, being Lot 19 on deposited plan No. 1018, part of Section 30, Levin Village Settlement: bounded towards the north-east by Lot 28, 93·7 links; towards the south-west by Lot 18, 400 links; towards the south-east by Stuckey Street, 93·7 links; and towards the north-west by Lot 29, 400 links: and being the whole of the land comprised in certificate of title, Volume 116, folio 154, dated the 21st day of December, 1901.

10. All that allotment or parcel of land, situated in the Settlement of Eketahuna and Provincial District of Wellington, containing by admeasurement 3 roods 20 perches, more or less; bounded towards the north by a public street, 450 links; towards the east by Section 24, 250 links: towards the south by Section 28, 250 links; and towards the west by the Makakahi River, about 300 links: being Lots 25, 26, and 27 on deposited plan No. 330 of subdivision of part Section 24 in Eketahuna aforesaid, and the whole of the land comprised in certificate of title, Volume 77, folio 213, dated the 10th day of May, 1895.

11. All that allotment or parcel of land, situated in the Settlement of Mauriceville and Provincial District of Wellington, containing by admeasurement 14·9 perches, more or less: bounded towards the north-east by part of Section 65, 151·5 links; towards the south-east by a public road or street, 60·8 links; towards the south-west by part of Section 65, 156·35 links; and towards the north-west by part of Section 65, 60·6 links: being part of Section 65 on the plan of the said Settlement of Mauriceville and Lot 3 on deposited plan No. 2194, and the whole of the land comprised in certificate of title, Volume 185, folio 221, dated the 15th day of September, 1909.

12. All that allotment or parcel of land, situated in the Township of Gladstone and Provincial District of Wellington, containing by admeasurement 1 acre, more or less: bounded towards the north by Section 69, 500 links; towards the east by a public road or street, 200 links; towards the south by Section 73, 500 links; and towards the west by Section 28, 200 links: being part of Section 19 on the plan of Tupurupuru Block, and being Town Section 71 on the plan of the subdivision of part Sections 12, 14, and 19, on deposited plan No. 30 of the said Tupurupuru Block, and the whole of the land comprised in deed of conveyance No. 27915, dated the 13th day of July, 1877.

13. All that allotment or parcel of land, situated in the Borough of Taihape and Provincial District of Wellington, containing by admeasurement 1 rood 20·5 perches, more or less: bounded towards the north by Section 13, 146·7 links; towards the east by Section 19, 300 links; towards the south by Huia Street, 204·6 links: and towards the west by a public street, 175·6 links: being Section 20 on the map of the said Borough of Taihape, and the whole of the land comprised in certificate of title, Volume 105, folio 134, dated the 15th day of May, 1900.

14. All that allotment or parcel of land, situated in the Borough of Dannevirke and Provincial District of Hawke's Bay, containing by admeasurement 1 rood, more or less: bounded towards the north by Section 30, 250 links; towards the east by the Main Road to Napier, 100 links; towards the south by Section 32, 250 links; and towards the west by Section 46, 100 links: being Section 31, Block I, on the map of the said Borough of Dannevirke, and the whole of the land comprised in certificate of title, Volume 17, folio 106, dated the 18th day of November, 1885.

15. All that allotment or parcel of land, situated in the Borough of Dannevirke and Provincial District of Hawke's Bay, containing by admeasurement 1 rood 15 perches, more or less: bounded towards the north by Gertrude Street, 256·9 links; towards the east by the Main Road to Napier, 108·8 links; towards the south by Section 31, 250 links; and towards the west by Section 47, 167·8 links: being Section 30, Block I, on the public map of the said Borough of Dannevirke, and the whole of the land comprised in certificate of title, Volume 17, folio 105, dated the 18th day of November, 1885.

16. All that allotment or parcel of land, situated in the Town of Woodville and Provincial District of Hawke's Bay, containing by admeasurement 1 acre, more or less: bounded towards the north by part of Section 26, 371·5 links; towards the east by part of Section 26, 269·2 links; towards the south by Hobson Street, 371·5 links; and towards the west by Normanby Street, 269·2 links: being Lot 1 on deposited plan 499, part of Suburban Section 26, as delineated on the plan of the said Town of Woodville, and the whole of the land comprised in certificate of title, Volume 21, folio 199, dated the 11th day of October, 1887.

17. All that allotment or parcel of land, situated at Meeanee in the Provincial District of Hawke's Bay, containing by admeasurement 1 rood 2 perches, more or less : bounded towards the north by Section 2, 270 links ; towards the east by Section 36, 107 links ; towards the south by Section 4, 270 links ; and towards the west by a public road, 109 links : being Lot 3, part of Suburban Section 53, Meeanee, as the same is delineated on deposited plan No. 17, and the whole of the land comprised in certificate of title, Volume 6, folio 177, dated the 7th day of December, 1877.

SECOND SCHEDULE.

1. ALL that allotment or parcel of land, situated in the Town of Havelock and Provincial District of Marlborough, containing by admeasurement 3 roods 8 perches, more or less : bounded towards the north by a public road, 280 links ; towards the east by Section 198, 330 links ; towards the south by Section 156, 210 links ; and towards the west by the Wairau Road, 338 links : being Sections 199, 200, and 201 respectively on the plan of the said Town of Havelock, and the whole of the land comprised in Crown Grant No. 1449, dated the 10th day of July, 1871, in virtue of which grant the said lands were vested in Augustin Mary Joseph Sauzeau, of Wairau, in the Provincial District of Marlborough, Roman Catholic Priest ; Joseph Ward, of Brookby, in the said provincial district, Esquire ; and Patrick McMahon, of Pelorus Sound, in the said provincial district, Farmer, upon trust for religious purposes in connection with the Roman Catholic Church in New Zealand.

2. All that allotment or parcel of land, situated in the Town of Havelock and Provincial District of Marlborough, containing by admeasurement 33·5 perches, more or less, being Section 188 on the map of the said Town of Havelock : bounded towards the north by a public road, 142 links ; towards the north-east by another public road, 152 links ; towards the south by Allotment or Section 187, 250 links ; and towards the west by the Wairau Road, 107 links ; and being the whole of the land comprised in Crown Grant No. 3761, dated the 13th day of April, 1871, in virtue of which grant the said land was vested in John Emerson, of Blenheim, in the Provincial District of Marlborough, Inspector of Police, by whom the same was conveyed by deed of conveyance No. 3119, dated the 2nd day of February, 1870, to Joseph Ward, of Brookby, Sheep-farmer ; Cyrus Goulter, of Hawkesbury, Sheep-farmer ; Thomas Redwood, of Vernon, Farmer ; and Charles Redwood, of Riverlands, Farmer, all of the Provincial District of Marlborough, " in trust for the purposes of the religious worship and observance of persons professing the Roman Catholic religion at Havelock : Provided always that the trustees may at their absolute discretion dispose of the premises hereby conveyed or any part thereof respectively, either by way of sale or in exchange for other property, of the like nature and tenure, situate within the Provincial District of Marlborough. . . . "

THIRD SCHEDULE.

ALL that allotment or parcel of land, being part of Rural Section 66 on the plan of Moroa Block, Wairarapa, in the Provincial District of Wellington, containing by admeasurement 10 acres, more or less ; bounded towards the north-east by part of the said Section 66, 3014 links ; towards the north-west by section owned by Jacob Joseph, of the City of Wellington, Merchant, 337 links ; towards the south-west by Section 67, 3014 links ; and towards the south-east by Native land, 337 links : being the whole of the land comprised in Crown Grant No. 7185, dated the 29th day of November, 1866, in virtue of which grant the said land was vested in Thomas Ward, of Wairarapa, in the Provincial District of Wellington, Farmer, and by him conveyed by deed of conveyance No. 13083, dated the 26th day of April, 1871, to Philip Joseph Viard, then Roman Catholic Bishop of the Diocese of Wellington, in trust for the purposes of the Roman Catholic Church.