

No. VII.

NELSON WESLEYAN
CHAPEL SALE.

AN ACT to authorize the Sale of certain Land in the Town of Nelson, and of Buildings thereon, appropriated as a Chapel and School House for the use of the Wesleyan Methodists; and to provide for the Investment of the Proceeds of Sale in the purchase of other Lands and the Erection of Buildings, to be vested in Trustees and appropriated for the like purposes. [29th July, 1856.]

Preamble.

WHEREAS by a certain deed or grant bearing date the sixth day of September, one thousand eight hundred and fifty-one, under the Seal of the Province of New Munster, all that piece or parcel of land situate lying and being in the Town of Nelson, in New Zealand, containing one-quarter of an acre, more or less, bounded on the North-east and South by Bridge Street, and on the West by Waimea Street, with all the rights and appurtenances whatsoever thereunto belonging, was granted unto James Watkin, of the Settlement of Wellington, Wesleyan Minister; Samuel Ironside, of the Settlement of Nelson, Wesleyan Minister; John Aldred, of the Settlement of Wellington aforesaid, Wesleyan Minister; William Hough, of the Settlement of Nelson, Storekeeper; Adam Jackson, also of Nelson, Carter; John Riley, also of Nelson, Carpenter; and Richard Wallis, of Waimea East, in the District of Nelson, Schoolmaster, to hold unto the said James Watkin, Samuel Ironside, John Aldred, William Hough, Adam Jackson, John Riley, and Richard Wallis, and the survivors of them, and the heirs and assigns of such survivor, upon trust to permit the said land and all buildings thereon erected or to be erected to be for ever appropriated and used as and for a chapel and school-house for the use of the people called Methodists, in the connexion established by the late Reverend John Wesley: And whereas the said site and the buildings erected thereon as aforesaid have become inappropriate for the purposes of the said trust, and the said Trustees are desirous of selling and disposing of the same, and of investing the moneys to arise from such sale in the purchase of another and more appropriate site for and the erection thereon of suitable buildings to be appropriated and used for the purposes of the said trust.

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

Power to sell land
&c. at Nelson.

1. It shall be lawful for the Trustees or Trustee for the time being of the said piece or parcel of land buildings and premises so appropriated and used as and for a chapel and school-house for the use of the people called Methodists, in the connexion established by the late Reverend John Wesley, and situated within the said Town of Nelson as aforesaid, at any time after the passing of this Act, absolutely to make sale and dispose of the said trust premises, either by public auction or by private contract, and in such manner as the said Trustees or 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.

Trustees to invest
proceeds in purchase
of other land and to
erect buildings and

2. The said Trustees or Trustee for the time being shall, immediately after such sale, lay out and invest the money which shall arise from such sale in the purchase of an appropriate site within the said Town

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Town of Nelson, and in the erection thereupon of a chapel and school-house; and the said Trustees or Trustee for the time being, and the survivors and survivor of them, and the heirs and assigns of such survivor, shall stand and be seized of the hereditaments so to be purchased as aforesaid, and of the chapel and school-house to be erected and built thereon as aforesaid, upon trust, to permit the same to be for ever appropriated and used as and for a chapel and school-house for the use of the people called Methodists, in the connexion established by the late Reverend John Wesley.

hold same upon trusts for use of Wesleyan Methodists.

3. Every receipt which shall be given by the said Trustees or Trustee for the time being for the purchase money of the hereditaments hereby authorized to be sold, shall be a good valid and sufficient acquittance for the same; and every sale which shall be made, and every contract for sale which shall be entered into, and every conveyance which shall be executed by the said Trustees or 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 sixth day of September, one thousand eight hundred and fifty-one, saving always to the Queen's most excellent Majesty, her heirs and successors, and to all and every other person and persons, bodies politic corporate and collegiate, his her and their heirs successors executors and administrators, all such estate right title and interest (other than such as are expressly barred or meant and intended to be barred by this Act) as they every or any of them had and enjoyed, of in to or in respect of the lands and premises hereby authorized to be sold and disposed of previous to the passing of this Act, or could or might have had or enjoyed in case the same had not been made.

Trustees' receipts to be sufficient discharges.

4. In case, at any time after the sale and disposition hereby authorized to be made, the Trustees or Trustee for the time being acting in the trusts hereinbefore mentioned, or any of them, or any future Trustees or Trustee to be appointed as hereinafter mentioned, shall die or decline to act, or be absent from the Colony of New Zealand for the space of six calendar months, or be desirous of being discharged from or be incapable of acting in the said trusts or any of them, it shall be lawful for the continuing Trustees or Trustee, or the executors or administrators of the last acting Trustee, or if all the then acting Trustees shall decline to act, then for the majority of the Trustees so declining to appoint by deed any person or persons to be Trustees or Trustee in the place of the Trustees or Trustee so dying or declining to act, or being absent, or being desirous of being discharged, or becoming incapable to act as aforesaid; and upon every such appointment the trust property shall vest without any conveyance in the continuing Trustees or Trustee jointly with such new Trustees or Trustee, their heirs and assigns, as joint tenants, or if there be no continuing Trustees or Trustee, then in the new Trustees, their heirs and assigns, upon the same trusts and with the same powers as the original Trustees or Trustee.

Appointment of new Trustees.

5. This Act may be cited for all purposes as "*The Nelson Wesleyan Chapel Sale Act, 1856.*"

Short Title.