

No. III.

AN ACT to authorize the Sale or Exchange of certain Lands, held in Trust for Religious Purposes, vested in the Roman Catholic Bishop, situate in the City of Nelson, and to provide for the vesting of the Proceeds in Trustees upon similar Trusts.

NELSON ROMAN
CATHOLIC
ENDOWMENTS SALE.

[27th October, 1860.]

WHEREAS by a deed bearing date on or about the thirtieth day of December, in the year one thousand eight hundred and fifty-seven, and made between the Right Honorable William Bernard Lord Petre, of Thorndon Hall, in the County of Essex, in England, of the one part, and the Right Reverend Philip Joseph Viard, in the Colony of New Zealand, Bishop of Orthosio and Apostolic Administrator of the Roman Catholic Diocese of Wellington in the said Colony, of the other part; the said William Bernard Lord Petre, for the consideration therein mentioned, did convey and assure unto the said Philip Joseph Viard and his heirs and assigns all that allotment or parcel of land, containing one acre more or less, situate in the Town (now City) of Nelson, in the said Colony, and which is numbered as four hundred and twenty-six on the plan of the said city, together with all the appurtenances thereunto belonging, to hold the same unto the said Philip Joseph Viard and his heirs and assigns for ever in trust as and for an endowment for the maintenance and support of the Roman Catholic Mission and Religion in the City of Nelson aforesaid, and to for or upon no other use trust intent or purpose whatsoever: And whereas the said acre of land is inconveniently situated for the objects of the said Roman Catholic Mission in the said City of Nelson, and therefore it is desirable that the said Philip Joseph Viard should be empowered to sell or exchange the said acre, and invest the proceeds of sale in the purchase of other land in the said City of Nelson, or to exchange the same for other land lying nearer to the present Roman Catholic Church in the said City of Nelson, and to have the same conveyed to Trustees as hereinafter mentioned:

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

1. The Short Title of this Act shall be "*The Nelson Roman Catholic Endowments Sale Act, 1860.*" Short Title.

2. It shall be lawful for the said Philip Joseph Viard, his heirs or assigns, at any time or times after the passing of this Act, absolutely to sell and dispose of or to exchange the said trust premises in such manner Power to sell or exchange.

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manner as he or they shall think fit, and to convey the fee simple and inheritance of the same trust premises when sold or exchanged to the person or persons who shall agree to become the purchaser or purchasers thereof, or who may agree to exchange other lands in the said City of Nelson for the said allotment or parcel of land; and no purchaser or other person paying money to the said Philip Joseph Viard, his heirs or assigns, shall be afterwards answerable or accountable for such money, or be bound to see to the application thereof.

Lands purchased or exchanged to be vested in Trustees to the use of the Mission.

3. The moneys to be received on any such sale or exchange shall, so soon as may be, be invested in the purchase of such other land as to the said Philip Joseph Viard, his heirs or assigns, shall appear more conveniently situated for the objects of the trusts hereinbefore mentioned, which land or any land to be taken in exchange for the said trust property shall be vested in the said Philip Joseph Viard, Henry Redwood the elder, and Henry Redwood the younger, both of the district of Waimea West, in the said Province of Nelson, farmers; William O'Dwyer, of Waimea East, in the said Province of Nelson, farmer; John William Gay Beauchamp, of the said City of Nelson, surveyor; and John Armstrong, of the same City, innkeeper, their heirs and assigns, and shall be held in trust as and for an endowment for the maintenance and support of the Roman Catholic Mission and Religion in the City of Nelson aforesaid, and to for and upon no other use trust intent or purpose whatsoever.

Saving of rights.

4. Nothing in this Act contained shall be deemed to prejudice or affect the rights of Her Majesty, her heirs and successors, or of any body politic or corporate, or of any other persons excepting the said Philip Joseph Viard, and all persons claiming or to claim or beneficially interested by from through or under him.