

New Zealand.

ANALYSIS.

- Title.
Preamble.
1. Short Title.
2. Interpretation.
3. Repeal.

4. Mode of application of rents and profits.
5. Extending interpretation of term "hereditaments."
6. Power to sell and dispose of certain hereditaments.
7. Application of proceeds from sale.

1925, No. 1.—*Private.*

AN ACT to amend the Roman Catholic Bishop of Auckland Empowering Act, 1914, and the Roman Catholic Bishop of Auckland Empowering Act, 1924. Title.
[21st September, 1925.]

WHEREAS by the Roman Catholic Bishop of Auckland Empowering Act, 1914 (hereinafter called the said Act), the net rents and profits arising from the land described in the First Schedule to the said Act were directed to be employed, in such shares and proportions as the Bishop deemed proper, in the maintenance and for the support of the respective schools to be erected upon the lands described in the First and Second Schedules thereto respectively: And whereas the lands described in the said Second Schedule are now vested in the Roman Catholic Bishop of Auckland for the time being and certain other persons members of the Religious Order of the Sisters of Mercy: And whereas the said last-mentioned persons have consented to the provisions hereinafter appearing: And whereas it is desirable to make provision that the land described in the Second Schedule to the said Act may be sold, and to specify the manner in which the proceeds of such sale shall be employed: And whereas such objects are not attainable otherwise than by legislation: Preamble.

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

1. This Act may be cited as the Roman Catholic Bishop of Auckland Empowering Act, 1925. Short Title.

2. In this Act the expression "the Bishop" shall mean the Roman Catholic Bishop of Auckland for the time being. Interpretation.

Repeal.

3. Section seven of the said Act is hereby repealed.

Mode of application of rents and profits.

4. The net rents and profits arising from the land described in the First Schedule to the said Act and (in the event of the sale of the said land or any part or parts thereof) the income arising from the investment of the proceeds of such sale shall be employed, in such shares and proportions as the Bishop deems proper, in the maintenance and for the support of the schools mentioned in the said Act, whether or not such schools or either of them shall be on the land mentioned in the First and Second Schedules respectively to the said Act :

Provided always that such schools shall be situated in the Roman Catholic Diocese of Auckland, and shall be for the education of the British subjects of both races, and the children of other poor and destitute persons being inhabitants of the islands of the Pacific Ocean :

And provided also that religious education, industrial training, and instruction in the English language shall be given to youth educated therein or maintained thereat.

Extending interpretation of term "hereditaments."

5. The term "hereditaments" as defined in section two of the Roman Catholic Bishop of Auckland Empowering Act, 1924, shall (to the extent of the Bishop's interest in the land and chattel interests in land hereinafter mentioned but no further or otherwise) be deemed to mean (in addition to the meaning expressed in such last-mentioned section) any land of any estate or tenure now or hereafter vested in the Bishop jointly or in common with any other person or persons, and to include chattel interests in land now or hereafter vested as aforesaid, whether or not such land or such chattel interests in land are subject to any trust expressed or implied.

Power to sell and dispose of certain hereditaments.

6. It shall be lawful for the Bishop and the other persons who are registered as proprietors of an estate in fee-simple in the land mentioned in the Second Schedule to the said Act—

- (a.) To sell and dispose of the same either in one or in several lots :
- (b.) To allow any portion of the purchase-money payable upon any sale of the said land or any part thereof to remain owing and secured by a mortgage upon the land so sold :
- (c.) To make, execute, and deliver all such assurances and transfers as may be necessary for vesting in any purchaser any land sold as aforesaid.

Application of proceeds from sale.

7. The net proceeds arising from any sale of the land mentioned in the Second Schedule to the said Act shall be dealt with in any one or more of the ways mentioned in sections five and six of the Roman Catholic Bishop of Auckland Empowering Act, 1924.