

This PRIVATE ESTATE 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,
15th October, 1937.*

[AS AMENDED BY THE LEGISLATIVE COUNCIL.]

4th November, 1937.

Mr. Atmore.

NELSON DIOCESAN TRUST BOARD
EMPOWERING.

[PRIVATE ESTATE BILL.]

ANALYSIS.

Title.
Preamble.
1. Short Title.

2. Authorizing Nelson Diocesan Trust Board to sell certain lands now held by it in trust.
3. Protection of purchaser.
4. Private Act.
Schedule.

A BILL INTITULED

AN ACT to enable the Nelson Diocesan Trust Board
(Incorporated) to sell and dispose of certain Lands
in the Anglican Diocese of Nelson and to apply the
5 Net Proceeds thereof in and towards the Purchase
of a Permanent Residence for the Bishop of Nelson
within the City of Nelson.

WHEREAS James Wilfred Marsden, deceased, late of
Stoke, in the Provincial District of Nelson, by his last will
10 and testament devised the lands described in the Schedule
hereto, together with the buildings thereon, unto the
Nelson Diocesan Trust Board (Incorporated) upon trust
as and for the permanent residence of the Bishop of the
Diocese of Nelson and his successors in office for all
15 time, and with and subject to certain directions, powers,
and provisions therein set out: And whereas it was in
the said will and testament provided that the said Board
should have no power to sell, mortgage, or alienate any

part or parts of the said lands and premises: And
whereas by reason of the unsuitability of the locality
of the said lands and the buildings thereon for a
residence of the said Bishop and his successors the terms
of the trust cannot be given effect to: And whereas it 5
is desirable that the terms of the trust should as nearly
as may be be given effect to by the sale of the said
lands and the application of the net proceeds of such
sale in and towards purchasing a residence for the said
Bishop and his successors ~~within the City of Nelson~~: 10
And whereas the powers requisite to enable the said
Board to sell such lands are attainable only by
legislation:

BE IT THEREFORE ENACTED by the General Assembly of
New Zealand in Parliament assembled, and by the 15
authority of the same, as follows:—

Short Title.

1. This Act may be cited as the Nelson Diocesan
Trust Board Empowering Act, 1937.

Authorizing
Nelson
Diocesan
Trust Board
to sell certain
lands now
held by it in
trust.

2. Subject to any existing lease or any contract
heretofore made and existing in respect thereof, it 20
shall be lawful for the Nelson Diocesan Trust Board
(Incorporated) to sell and dispose of the buildings
on the said lands described in the Schedule hereto
or any of them for removal, and to sell and dispose
of the said lands or any part or parts thereof with 25
or without the said buildings, and in either case either
by public auction or private contract, and at such time
or times and upon such terms and conditions in all
respects as the said Board may deem fit, and to
convey, transfer, and assure the same to any purchaser 30
or purchasers freed and discharged of and from the
said trust, and to apply the net proceeds thereof,
after providing for the necessary cost and expenses
thereof, in or towards the purchase of lands and
buildings or towards the purchase of lands and 35
erecting buildings thereon ~~within the City of Nelson~~ as a
permanent residence for the Bishop of Nelson and his
successors for all time, and pending the application of
such proceeds as aforesaid to invest any moneys arising
from the sale or disposition of such buildings and lands 40
or any part thereof in any manner in which trustees may
lawfully invest trust-moneys, and apply the income
arising therefrom in and towards the same purposes to
which the principal moneys are appropriated by this

Act, or, in the discretion of the said Board, in maintaining the land and buildings at present occupied by the Bishop of Nelson as a residence.

5 **3.** The receipt in writing of the said Board shall effectually discharge every purchaser or other person paying any moneys in respect of such sales therefrom and from being bound to see or inquire as to the application thereof, or being responsible for any loss, misapplication, or non-application thereof. **Protection of purchaser.**

10 **4.** This Act shall be deemed to be a private Act. **Private Act.**

SCHEDULE.

Schedule.

ALL that parcel of land contained in certificate of title 70/54 Nelson, containing 51 acres 3 roods 28 perches, more or less, being Lot 2 on plan deposited in the Land Registry Office at Nelson under No. 2072, and being part of Sections 47, 49, and 50, Suburban South, situated in Block IV, Waimea Survey District.