

6 GEO. VI. 1941. *Roman Catholic Church (Northern Lands), Etc., Act.*

An Act to Enable the Vesting of Certain Real and Personal Property in a Body Corporate to be constituted pursuant to "The Religious Educational and Charitable Institutions Act of 1861" and "The Religious, Educational, and Charitable Institutions Act of 1861 Amendment Act of 1895" in the Name and Style of "The Roman Catholic Trust Corporation for the Diocese of Cairns" and in a Body Corporate constituted under the first-mentioned Act under the Name and Style of "The Vicar Provincial of the Order of the Hermits of Saint Augustine in Queensland" and for other purposes.

6 GEO. VI.
THE
ROMAN
CATHOLIC
CHURCH
(NORTHERN
LANDS)
VESTING
ACT OF
1941.

[ASSENTED TO 16TH DECEMBER, 1941.]

WHEREAS, pursuant to Letters Patent dated the Preamble.
twenty-first day of January, one thousand nine hundred and twenty-six, issued under the hand of His Excellency the Lieutenant-Governor of Queensland and the Public Seal of the said State, by virtue of the provisions of **"The Religious Educational and Charitable Institutions Act of 1861,"* John Heavey of Cairns in the State of Queensland holding and exercising the office of Roman Catholic Bishop and Vicar Apostolic of the Vicariate Apostolic of Cooktown in the Roman Catholic Church was constituted a Body Corporate by the name and style of "The Vicar Apostolic of the Vicariate Apostolic of Cooktown" (hereinafter referred to as the "Previous Corporation"):

And whereas on the fourteenth day of July, one thousand nine hundred and forty-one, that part of North Queensland formerly known as the Vicariate Apostolic of Cooktown was elevated to a Diocese with the name of Cairns and the said John Heavey was appointed first Bishop of the said Diocese:

* 25 V. No. 19. See v. 4, p. 267.

Roman Catholic Church (Northern Lands), Etc., Act. 6 GEO. VI.

And whereas it is now desired pursuant to the powers and authorities contained in **“The Religious, Educational, and Charitable Institutions Act of 1861 Amendment Act of 1895”* to cancel the Letters Patent constituting such Previous Corporation :

And whereas application has been made to the Governor in Council pursuant to †*“The Religious Educational and Charitable Institutions Act of 1861”* that Letters Patent be issued under the hand of the Governor for the time being and the Public Seal of the State, constituting the said John Heavey together with Thomas Hunt, Patrick Joseph Hickey and James William Larkin being persons holding and exercising certain offices in the Roman Catholic Church to be a Body Corporate by the name and style of *“The Roman Catholic Trust Corporation for the Diocese of Cairns”* (hereinafter referred to as the *“Proposed New Corporation”*) :

And whereas on the issue of such Letters Patent constituting the Proposed New Corporation it is desired that certain lands being freehold land in the names of various registered proprietors shall be vested in the Proposed New Corporation :

Sch. I. And whereas such freehold lands are more particularly described in Schedule I. of this Act :

And whereas on the issue of such Letters Patent constituting the Proposed New Corporation it is desired that certain leasehold lands in the names of various lessees shall be vested in the said Proposed New Corporation :

Sch. II. And whereas the said leases are more particularly described in Schedule II. of this Act :

And whereas pursuant to Letters Patent dated the twenty-second day of May, one thousand nine hundred and thirty-five, issued under the hand of His Excellency the Lieutenant-Governor of Queensland and the Public Seal of the State by virtue of the provisions of †*“The Religious Educational and Charitable Institutions Act of 1861”* Joseph Phelan holding and exercising a certain office (namely Vicar Provincial of the Order of the

* 59 V. No. 4. See v. 4, p. 269.

† 25 V. No. 19. See v. 4, p. 267.

1941. *Roman Catholic Church (Northern Lands), Etc., Act.*

Hermits of Saint Augustine in Queensland) in the Roman Catholic Church was constituted a Body Corporate by the name and style of "The Vicar Provincial of the Order of the Hermits of Saint Augustine in Queensland":

And whereas it is desired that certain land being freehold land in the names of various registered proprietors shall be vested in the said last-mentioned Corporation:

And whereas the said freehold lands are more particularly described in Schedule III. of this Act: Sch. III.

And whereas it is desirable to give effect to such vesting as hereinbefore referred to—

Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as "*The Roman Catholic Church (Northern Lands) Vesting Act of 1941.*" Short title.

2. In this Act unless otherwise indicated or required by the context or subject-matter— Definitions.

(a) The words the "Proposed New Corporation" mean the Body Corporate for which application has been made to the Governor in Council for the issue of Letters Patent under the hand of the Governor for the time being and the Public Seal of the said State, by virtue of the provisions of *"*The Religious Educational and Charitable Institutions Act of 1861*"; to constitute such Corporation by the name and style of "The Roman Catholic Trust Corporation for the Diocese of Cairns" as referred to in the Preamble; and

(b) The words "Corporation of the Vicar Provincial" mean "The Vicar Provincial of the Order of the Hermits of Saint Augustine in Queensland" a Body Corporate constituted under that name and style pursuant to Letters Patent dated the twenty-second day of May, one thousand nine hundred and thirty-five,

* 25 V. No. 19. See v. 4, p. 267.

Roman Catholic Church (Northern Lands), Etc., Act. 6 GEO. VI.

issued under the hand of the Lieutenant-Governor of the State and the Public Seal of the said State, by virtue of the provisions of **"The Religious Educational and Charitable Institutions Act of 1861"* as referred to in the Preamble.

Vesting of
lands in the
Roman
Catholic
Trust
Corporation
for the
Diocese of
Cairns.
Schs. I. and
II.

3. On the issue by the Governor in Council of Letters Patent as referred to in the Preamble and in section two of this Act, all lands, tenements, hereditaments, and leases, being the lands, tenements, hereditaments, and leases more particularly described in Schedules I. and II. of this Act, together with all rights, easements, interests, and appurtenances thereto shall without any conveyance or assignment or transfer or other assurance other than the authority of this Act be divested from the persons who at the passing of this Act are the registered proprietors or lessees, as the case may be, and shall be conveyed and transferred to and shall vest in the Proposed New Corporation (being "The Roman Catholic Trust Corporation for the Diocese of Cairns") as registered proprietor for an estate in fee simple in possession or as lessee, as the case may be, completely freed and discharged from the trusts (if any) under which at the passing of this Act the same are held, but subject to any encumbrances, leases, or other interests affecting the same and for the purposes of the Proposed New Corporation; and all personal property of whatsoever description being improvements on the said lands, tenements, hereditaments, and leases, shall without any conveyance or transfer other than the authority of this Act vest in the Proposed New Corporation as owner thereof absolutely.

Vesting of
lands in the
Vicar
Provincial
of the Order
of Hermits of
Saint
Augustine in
Queensland.
Sch. III.

4. All lands tenements and hereditaments being the lands tenements and hereditaments more particularly described in Schedule III. of this Act together with all rights easements interests and appurtenances thereto shall without any conveyance or assignment or transfer or other assurance other than the authority of this Act be divested from the persons who at the passing of this Act are the registered proprietors, and shall be conveyed

1941. *Roman Catholic Church (Northern Lands), Etc., Act.*

and transferred to and shall vest in the Corporation of the Vicar Provincial of the Order of the Hermits of Saint Augustine in Queensland (as referred to in the Preamble and in section two of this Act) (hereinafter in this Act referred to as "The Corporation of the Vicar Provincial") as registered proprietor for an estate in fee simple in possession completely freed and discharged from the trusts (if any) under which at the passing of this Act the same are held but subject to any encumbrances leases or other interests affecting the same and for the purposes of the aforesaid Corporation; and all personal property of whatsoever description being improvements on the said lands tenements and hereditaments shall without any conveyance or transfer other than the authority of this Act vest in the aforesaid Corporation as owner thereof absolutely.

5. (1.) The Proposed New Corporation shall (when the required Letters Patent are issued in regard thereto) be entitled at all times to exercise as registered proprietor in respect of the lands referred to in Schedule I. of this Act when so conveyed, transferred, and vested in the said Proposed New Corporation, and as registered lessee in respect of the leases referred to in Schedule II. of this Act, and as owner of the personal property conveyed to and vested in the Proposed New Corporation as aforesaid such powers, rights, and remedies as shall be permitted and allowed by **"The Religious Educational and Charitable Institutions Act of 1861"* and/or †*"The Religious, Educational, and Charitable Institutions Act of 1861 Amendment Act of 1895,"* and/or ‡*"The Real Property Acts, 1861 to 1932,"* and by the constitution and rules for the time being of the Proposed New Corporation.

(2.) The Corporation of the Vicar Provincial shall be entitled at all times to exercise as registered proprietor in respect of the lands referred to in Schedule III. of this Act so conveyed transferred and vested in such Corporation and as owner of the personal property conveyed to and vested in such Corporation as aforesaid such powers rights and remedies as shall be permitted and allowed by **"The Religious Educational and*

* 25 V. No. 19. See v. 4, p. 267.

† 59 V. No. 4. See v. 4, p. 269.

‡ 25 V. No. 14 and amending Acts. See v. 8, pp. 163 *et seq.*

Roman Catholic Church (Northern Lands), Etc., Act. 6 GEO. VI.

Charitable Institutions Act of 1861” and/or **“The Religious, Educational, and Charitable Institutions Act of 1861 Amendment Act of 1895”* and/or †*“The Real Property Acts, 1861 to 1932,”* and by the constitution and rules for the time being of the said Corporation.

Power to
mortgage.

6. In addition to such powers it shall and may be lawful for the Proposed New Corporation (when the required Letters Patent are issued in regard thereto) and for the Corporation of the Vicar Provincial, from time to time and at all times hereafter to borrow moneys upon the security of all or any of the lands, tenements, hereditaments, and leases, and other property hereby to be conveyed or transferred to and vested in the Proposed New Corporation, and conveyed transferred to and vested in the Corporation of the Vicar Provincial, as the case may be, and for such purposes to execute in such form as the Proposed New Corporation and the Corporation of the Vicar Provincial, as the case may be, may deem fit such mortgages, bills of sale, and other securities as the Proposed New Corporation, and the Corporation of the Vicar Provincial, as the case may be, may deem necessary.

Every mortgage made or given in pursuance of the powers aforesaid may contain a power of sale by the mortgagees their executors, administrators, or assigns in case of default in payment of any principal or interest moneys secured by such mortgage or of breach of any of the conditions therein contained.

Power to
lease.

7. It shall be lawful for the Proposed New Corporation (when the required Letters Patent are issued in regard thereto) and for the Corporation of the Vicar Provincial in respect of any of the lands by this Act to be vested in the Proposed New Corporation, and vested in the Corporation of the Vicar Provincial, as the case may be, from time to time to lease or sub-let the said lands or any portion or portions thereof for any term not exceeding twenty-one years upon such terms and conditions as it deems proper.

Every lease or sub-lease granted in pursuance of the powers aforesaid may be surrendered and a new lease or sub-lease of the whole or any portion of the land

* 59 V. No. 4. See v. 4, p. 269.

† 25 V. No. 14 and amending Acts. See v. 8, pp. 163 *et seq.*

1941. *Roman Catholic Church (Northern Lands), Etc., Act.*

comprised in any surrendered lease or sub-lease may be granted subject to the provisions of this Act with regard to the granting of a lease or sub-lease.

8. It shall be lawful for the Proposed New Corporation (when the required Letters Patent are issued in regard thereto) in respect of all or any of the Mining Leases referred to in Schedule II. of this Act to sub-lease all or any of such Mining Leases, and the provisions of the Mining Acts in relation to Mining Leases shall, *mutatis mutandis*, where necessary apply and extend accordingly.

Power to sub-let in case of Mining and other Leases. Sch. II.

It shall be lawful for the Proposed New Corporation (when the required Letters Patent are issued in regard thereto) in respect of all or any of the leases under **"The Sugar Works Act of 1911"* referred to in Schedule II. of this Act to sub-lease all or any of such leases and the provisions of **"The Sugar Works Act of 1911"* (or any Act amending the same) shall, *mutatis mutandis*, where necessary apply and extend accordingly.

Sch. II.

9. In addition to the powers, rights, and remedies conferred by this Act it shall and may be lawful for the Proposed New Corporation (when the required Letters Patent are issued in regard thereto) and for the Corporation of the Vicar Provincial from time to time and at all times hereafter to sell by public auction or private contract any of the property real or personal vested by this Act in the Proposed New Corporation (when the Letters Patent are issued in regard thereto) and the Corporation of the Vicar Provincial as it may deem expedient and at such prices and upon such terms and conditions as the Proposed New Corporation and the Corporation of the Vicar Provincial, as the case may be, may deem fit and when sold to convey the same or any part thereof, and thereupon the same shall vest in the purchasers their heirs, executors, administrators, or assigns according to the estate and interest of the Proposed New Corporation and the Corporation of the Vicar Provincial, as the case may be, therein absolutely freed and discharged from any Trusts affecting the same.

Power to sell.

* 2 G. 5 No. 8. See v. 9, p. 172.

Roman Catholic Church (Northern Lands), Etc., Act. 6 GEO. VI.

Receipts for
mortgage
and
purchase.

10. The receipt in writing of the Proposed New Corporation and the Corporation of the Vicar Provincial, as the case may be, or of any person or persons authorised by the Proposed New Corporation and the Corporation of the Vicar Provincial, as the case may be, in writing to receive the same for the moneys borrowed on the security of any property mortgaged, or for the purchase-money of any property sold, under this Act, by the Proposed New Corporation and the Corporation of the Vicar Provincial, as the case may be, or for rents in respect of leases, or for any moneys which shall be payable to the Proposed New Corporation and the Corporation of the Vicar Provincial, as the case may be, when exercising its powers conferred by this Act shall exonerate the mortgagee and all other persons for the time being paying such moneys to the Proposed New Corporation and the Corporation of the Vicar Provincial, as the case may be, and he or they shall not be bound or required to see to the application thereof or be affected by the mis-application or non-application thereof.

Income and
profits.

11. The income, rents, profits, and proceeds of sale and moneys borrowed as aforesaid shall be applied by the Proposed New Corporation and the Corporation of the Vicar Provincial as the case may be to and for such uses as the Proposed New Corporation and the Corporation of the Vicar Provincial as the case may be shall in its discretion and in accordance with the constitution, rules, and practice of the Proposed New Corporation and the Corporation of the Vicar Provincial as the case may seem fit.

Preservation
of rights.

12. Nothing in this Act contained or that may be done under this Act shall be deemed prejudicially to affect or to deprive any person of any right or interest whatsoever to which he at the passing of this Act is entitled, whether arising out of contract or tort and any such right or interest which may at the time of the passing of this Act be enforceable against the Proposed New Corporation and the Corporation of the Vicar Provincial as the case may be, or any person in whom the lands or property have heretofore been vested, and in respect of which right or interest the property (in the case of the Proposed New Corporation) to be conveyed, transferred, and vested and in the case of

1941. *Roman Catholic Church (Northern Lands), Etc., Act.*

the Corporation of the Vicar Provincial hereby conveyed transferred and vested has heretofore been liable may be enforced against the Proposed New Corporation and the Corporation of the Vicar Provincial as the case may be :

Provided that no such right or interest shall be enforceable against the members of the Proposed New Corporation or the Corporation of the Vicar Provincial as the case may be or any of them personally.

13. (1.) On the cancellation of the Letters Patent and the concomitant dissolution of the Corporation of the Vicar Apostolic of the Vicariate Apostolic of Cooktown as referred to in the Preamble pursuant to section four of **"The Religious, Educational, and Charitable Institutions Act of 1861 Amendment Act of 1895"* (in this section hereinafter referred to as "the Dissolved Corporation") it is hereby declared that, unless the Order in Council (as referred to in subsection one of section five of such last-mentioned Act) cancelling the aforesaid Letters Patent otherwise provides, all the property real or personal of the Dissolved Corporation shall without any conveyance or assignment or transfer or other assurance other than this Act and for the purposes of †*"The Real Property Acts, 1861 to 1932,"* vest in the Proposed New Corporation (when the required Letters Patent are issued in regard thereto) as registered proprietor, or as lessee, or as owner as the case may be and to the intent that the provisions of this Act shall be as effective as a transfer duly executed by the Dissolved Corporation immediately before its dissolution :

Vesting of property on the dissolution of the Corporation of the Vicar Apostolic of the Vicariate Apostolic of Cooktown.

Provided that all property so vested in the Proposed New Corporation shall be vested for the same estate and interest and to the same uses and upon the same trusts and subject to the same powers, provisions, encumbrances and liabilities for, to, upon and subject to which such property was held immediately before the same became so vested.

(2.) The provisions of sections five to twelve and fourteen and fifteen shall with any necessary modifications apply and extend to all matters and things referred to in this section.

* 59 V. No. 4. See v. 4, p. 269.

† 25 V. No. 14 and amending Acts. See v. 8, pp. 163 et seq.

Roman Catholic Church (Northern Lands), Etc., Act. 6 GEO. VI.

Duty of
Registrar of
Titles in
respect of
Proposed
New
Corporation.

14. (1.) The Registrar of Titles (including in such term any Deputy Registrar of Titles) shall on application made by or on behalf of the Proposed New Corporation (when the required Letters Patent are issued in that regard) in respect of the lands under **"The Real Property Acts, 1861 to 1932,"* to be conveyed, transferred to, and vested in the Proposed New Corporation by virtue of this Act (and described in Schedule I. of this Act) register the Proposed New Corporation as registered proprietor of the lands concerned, and for that purpose shall issue any certificate of title or deed of grant and/or make such endorsement or endorsements and make any such entry in the registers as may be necessary and proper for the purposes of this Act.

Sch. I.

Duty of
Registrar of
Titles in
respect of
Corporation
of Vicar
Provincial.

(2.) The Registrar of Titles (including in such term any Deputy Registrar of Titles) shall on application made by or on behalf of the Corporation of the Vicar Provincial in respect of the lands under **"The Real Property Acts, 1861 to 1932,"* conveyed transferred to and vested in such Corporation by virtue of this Act (and described in Schedule III. of this Act) register such Corporation as registered proprietor of the lands concerned, and for that purpose shall issue any certificate of title or deed of grant and/or make such endorsement or endorsements and make any such entry in the registers as may be necessary and proper for the purposes of this Act.

Sch. III.

Duty of
Secretary for
Mines and
other
registration
officers.

15. The Secretary for Mines (or the proper officer of the Mines Department) and the proper officer in respect of †*"The Sugar Works Act of 1911"* on application made by or on behalf of the Proposed New Corporation shall respectively by virtue of this Act register the Proposed New Corporation as lessee or cause it to be so registered in respect of the leases so to be conveyed or transferred to or vested in the Proposed New Corporation (being the leases described in Schedule II. of this Act) and shall respectively issue any document or documents necessary for that purpose and make such endorsement or endorsements and make any such entry in the registers as may be necessary and proper for the purposes of this Act.

Sch. II.

* 25 V. No. 14 and amending Acts. See v. 8, pp. 163 *et seq.*

† 2 G. 5 No. 8. See v. 9, p. 172.

1941. *Roman Catholic Church (Northern Lands), Etc., Act.*

Any other proper officer of any other registry concerned shall, in like manner, observe, *mutatis mutandis*, the provisions of this section.

16. A notification in the *Gazette* by the Minister administering **"The Religious Educational and Charitable Institutions Act of 1861"*—^{Notification in Gazette.}

- (a) As to the cancellation, pursuant to the provisions of †*"The Religious, Educational, and Charitable Institutions Act of 1861 Amendment Act of 1895"* of the Letters Patent constituting the Body Corporate under the name and style of "The Vicar Apostolic of the Vicariate Apostolic of Cooktown" (as referred to in the Preamble); and
- (b) As to the issue of Letters Patent under the first-mentioned Act constituting the Body Corporate under the name and style of "The Roman Catholic Trust Corporation for the Diocese of Cairns" (as referred to in the Preamble and section two of this Act),

shall be sufficient evidence of such cancellation of the Letters Patent (referred to in paragraph (a)) and of such issue of the Letters Patent (referred to in paragraph (b)) of this section for the purposes of this Act.

* 25 V. No. 19. See v. 4, p. 267.

† 59 V. No. 4. See v. 4, p. 269.

Roman Catholic Church (Northern Lands), Etc., Act. 6 Geo. VI.

SCHEDULE I.

C/T or D/G.	No.	Vol.	Fol.	County.	Parish.	Town.	Description of Property.	Area.			Registered Proprietor.
								A.	R.	P.	
C/T	65645	27	165	Banks ..	Cook ..	Cooktown ..	Allot. 14 of sec. 13	0	1	0	John Heavey, of Cairns, Roman Catholic Bishop and Vicar Apostolic
C/T	65646	27	166	Banks ..	Cook ..	Cooktown ..	Allot. 15 of sec. 13	0	1	0	John Heavey, of Cairns, Roman Catholic Bishop and Vicar Apostolic
D/G	28183	10	193	Banks ..	Cook ..	Cooktown ..	Allot. 16 of sec. 13	0	1	0	John Heavey, of Cairns, Roman Catholic Bishop and Vicar Apostolic
C/T	43498	14	69	Banks ..	Cook ..	Cooktown ..	Allot. 17 of sec. 13	0	1	0	John Heavey, of Cairns, Roman Catholic Bishop and Vicar Apostolic
C/T	43499	14	70	Banks ..	Cook ..	Cooktown ..	Allot. 4 of sec. 13	0	1	0	John Heavey, of Cairns, Roman Catholic Bishop and Vicar Apostolic
C/T	41030	12	247	Banks ..	Cook ..	Cooktown ..	Allot. 5 of sec. 13	0	1	0	John Heavey, of Cairns, Roman Catholic Bishop and Vicar Apostolic
D/G	28140	10	182	Banks ..	Cook ..	Cooktown ..	Allot. 6 of sec. 13	0	1	0	John Heavey, of Cairns, Roman Catholic Bishop and Vicar Apostolic
D/G	28137	10	181	Banks ..	Cook ..	Cooktown ..	Allot. 7 of sec. 13	0	1	0	John Heavey, of Cairns, Roman Catholic Bishop and Vicar Apostolic
C/T	43722	14	76	Banks ..	Cook ..	Cooktown ..	Allot. 8 of sec. 13	0	1	0	John Heavey, of Cairns, Roman Catholic Bishop and Vicar Apostolic
C/T	N24857	223	66	Banks ..	Solander ..	..	Sub. 2 of por. N100	513	2	38	John Heavey

1941.

Roman Catholic Church (Northern Lands), Etc., Act.

C/T	N4367	114	19	Cardwell..	Herberton ..	Herberton ..	Allot. 16 of sec. 11	0 1 7-9	John Heavey and Denis Brendan Redmond, as Joint Tenants
D/G	50038	29	174	Cardwell..	Herberton ..	Herberton ..	Allot. 17 of sec. 11	0 1 6	John Heavey and Patrick Bernard Doyle, as Joint Tenants
C/T	N21516	207	235	Cardwell..	Ravenshoe ..	..	Resubs. 47 and 51 of subdiv. 1 of por. 74	0 2 18-8	Patrick Bernard Doyle, undivided half part
C/T	N21517	207	236	Cardwell..	Ravenshoe ..	..	Resubs. 47 and 51 of sub. 1 of por. 74	0 2 18-8	John Heavey, undivided half part
C/T	N19280	196	249	Cardwell..	Ravenshoe ..	..	Resubs. 50 and 52 of sub. 1 of por. 74	0 2 16	Patrick Bernard Doyle
C/T	N5507	120	135	Chelmsford	Irvinebank ..	Montalbion ..	Allot. 12 of sec. 5	0 1 0	Thomas William O'Brien
D/G	42899	387	159	Chelmsford	Kingsborough	Kingsborough	Allot. 4 of sec. 4	0 0 28-8	John Cani
D/G	42900	387	160	Chelmsford	Kingsborough	Kingsborough	Allot. 4 of sec. 5	0 0 30-5	John Cani
D/G	42927	387	187	Chelmsford	Kingsborough	Kingsborough	Allot. 5 of sec. 5	0 0 30-5	John Cani
D/G	42928	387	188	Chelmsford	Kingsborough	Kingsborough	Allot. 6 of sec. 5	0 0 30-5	John Cani
C/T	N5506	120	134	Chelmsford	Western ..	Watsonville..	Allot. 10 of sec. 4	0 1 0	Thomas William O'Brien
D/G	61552	51	235	Chelmsford	Western ..	Watsonville..	Allot. 7 of sec. 9	1 0 0	John Heavey, of Cairns, Roman Catholic Bishop and Vicar Apostolic
D/G	N6766	137	222	Hodgkinson	Irvinebank ..	Irvinebank ..	Allot. 1 of sec. 12	0 1 0	John Heavey, of Cairns, Roman Catholic Bishop and Vicar Apostolic

SCHEDULE I.—*continued.*

C/T or D/G.	No.	Vol.	Fol.	County.	Parish.	Town.	Description of Property.	Area.			Registered Proprietor.
								A.	R.	P.	
D/G	N6767	137	223	Hodgkinson	Irvinebank ..	Irvinebank ..	Allot. 2 of sec. 12	0	1	0	John Heavey, of Cairns, Roman Catholic Bishop and Vicar Apostolic
D/G	N8438	160	244	Lynd ..	Chillagoe ..	..	Por. 11 ..	1	2	16	John Heavey, of Cairns, Roman Catholic Bishop and Vicar Apostolic
D/G	N5622	128	4	Lynd ..	Chillagoe ..	Chillagoe ..	Allot. 5 of sec. 17	0	1	0	John Heavey, of Cairns, Roman Catholic Bishop and Vicar Apostolic
D/G	N6639	136	184	Lynd ..	Chillagoe ..	Chillagoe ..	Allot. 6 of sec. 17	0	1	0	John Heavey, of Cairns, Roman Catholic Bishop and Vicar Apostolic
Part of C/T	N10099	152	164	Nares ..	Barron ..	..	Subdiv. 1 of resub. 4 of subd. 5 of por. 88	0	0	21.5	Catherine Halloran, widow
D/G	64783	59	114	Nares ..	Barron ..	Atherton ..	Allot. 1 of sec. 9	0	1	0	John Heavey, of Cairns, Roman Catholic Bishop and Vicar Apostolic
D/G	64784	59	115	Nares ..	Barron ..	Atherton ..	Allot. 2 of sec. 9	0	1	0	John Heavey, of Cairns, Roman Catholic Bishop and Vicar Apostolic
D/G	64787	59	118	Nares ..	Barron ..	Atherton ..	Allot. 19 of sec. 9	0	1	0	John Heavey, of Cairns, Roman Catholic Bishop and Vicar Apostolic
D/G	64801	59	125	Nares ..	Barron ..	Atherton ..	Allot. 20 of sec. 9	0	1	0	John Heavey, of Cairns, Roman Catholic Bishop and Vicar Apostolic

C/T	96377	62	114	Nares ..	Cairns ..	..	Subd. 77 of allot. 2 of sec. 46	0 0 16	Peter Byrne
D/G	N1941	92	25	Nares ..	Cairns ..	Kuranda ..	Allot. 3 of sec. 1	0 1 0	John Heavey, of Cairns, Roman Catholic Bishop and Vicar Apostolic
D/G	N1931	92	15	Nares ..	Cairns ..	Kuranda ..	Allot. 4 of sec. 1	0 1 0	John Heavey, of Cairns, Roman Catholic Bishop and Vicar Apostolic
D/G	N1932	92	16	Nares ..	Cairns ..	Kuranda ..	Allot. 5 of sec. 1	0 1 0	John Heavey, of Cairns, Roman Catholic Bishop and Vicar Apostolic
D/G	N2725	97	171	Nares ..	Cairns ..	Kuranda ..	Allot. 16 of sec. 8	0 1 0	John Heavey, of Cairns, Roman Catholic Bishop and Vicar Apostolic
D/G	N2726	97	172	Nares ..	Cairns ..	Kuranda ..	Allot. 15 of sec. 8	0 1 0	John Heavey, of Cairns, Roman Catholic Bishop and Vicar Apostolic
D/G	N2727	97	173	Nares ..	Cairns ..	Kuranda ..	Allot. 17 of sec. 8	0 1 0	John Heavey, of Cairns, Roman Catholic Bishop and Vicar Apostolic
C/T	N15112	177	81	Nares ..	East Barron..	..	Subd. 1 of por. 17	0 2 0	John Augustine Heavey, undivided half part
C/T	N15113	177	82	Nares ..	East Barron..	..	Subd. 1 of por. 17	0 2 0	Patrick Bernard Doyle, undivided half part
C/T	N19062	196	31	Nares ..	Glady ..	..	Subds. 1 to 6 and 19 to 20 of sec. 1 of por. 5	2 0 0	Michael Clancy and John Heavey, as Joint Tenants
D/G	54698	38	139	Nares ..	Glady ..	Musgrave ..	Allot. 2 of sec. 2	0 0 22-25	George Wilkie Gray
C/T	N5728	122	30	Nares ..	Grafton ..	Nelson ..	Allot. 1 of sec. 6	0 3 12-9	John Heavey, of Cairns, Vicar
D/G	54835	39	8	Nares ..	Johnstone ..	Geraldton ..	Allot. 8 of sec. 7	0 1 0	James Dominic Murray

1941. *Roman Catholic Church (Northern Lands), Etc., Act.*

SCHEDULE I.—*continued.*

C/T or D/G.	No.	Vol.	Fol.	County.	Parish.	Town.	Description of Property.	Area.			Registered Proprietor.
								A.	R.	P.	
C/T	N15879	181	98	Nares ..	Mourilyan ..	Mourilyan ..	Allot. 9 of sec. 3	0	1	0	Michael Clancy
D/G	40511	19	73	Nares ..	Salisbury ..	Port Douglas	Allot. 17 of sec. 3	0	1	0	Robert Dunne, one un- divided half part
D/G	40512	19	74	Nares ..	Salisbury ..	Port Douglas	Allot. 17 of sec. 3	0	1	0	John Cani, one undivided half part
D/G	40593	19	103	Nares ..	Salisbury ..	Port Douglas	Allot. 18 of sec. 3	0	0	37·2	Robert Dunne, one un- divided half part
D/G	40594	19	104	Nares ..	Salisbury ..	Port Douglas	Allot. 18 of sec. 3	0	0	37·2	John Cani, one undivided half part
D/G	40595	19	105	Nares ..	Salisbury ..	Port Douglas	Allot. 19 of sec. 3	0	0	20·5	Robert Dunne, one un- divided half part
D/G	40596	19	106	Nares ..	Salisbury ..	Port Douglas	Allot. 19 of sec. 3	0	0	20·5	John Cani, one undivided half part
D/G	58171	44	199	Norman ..	Norman ..	Normanton ..	Allot. 5 of sec. 27	0	1	0	James Dominic Murray, one undivided fourth part
D/G	58172	44	200	Norman ..	Norman ..	Normanton ..	Allot. 5 of sec. 27	0	1	0	John Hutchinson, one un- divided fourth part
D/G	58174	44	202	Norman ..	Norman ..	Normanton ..	Allot. 5 of sec. 27	0	1	0	Hugh Bernard Rafferty, one undivided fourth part
D/G	58167	44	195	Norman ..	Norman ..	Normanton ..	Allot. 6 of sec. 27	0	1	0	James Dominic Murray, one undivided fourth part
D/G	58168	44	196	Norman ..	Norman ..	Normanton ..	Allot. 6 of sec. 27	0	1	0	John Hutchinson, one un- divided fourth part
D/G	58170	44	198	Norman ..	Norman ..	Normanton ..	Allot. 6 of sec. 27	0	1	0	Hugh Bernard Rafferty, one undivided fourth part
D/G	58159	44	187	Norman ..	Norman ..	Normanton ..	Allot. 14 of sec. 27	0	1	0	John Hutchinson and Nicholas Michael Browne, as Joint Tenants

1941.

Roman Catholic Church (Northern Lands), Etc., Act.

D/G	58165	44	193	Norman ..	Norman ..	Normanton ..	Allot. 7 of sec. 27	0	1	0	John Hutchinson and Nicholas Michael Browne, as Joint Tenants
D/G	58155	44	182	Norman ..	Norman ..	Normanton ..	Allot. 15 of sec. 27	0	1	0	James Dominic Murray, one undivided fourth part
D/G	58156	44	183	Norman ..	Norman ..	Normanton ..	Allot. 15 of sec. 27	0	1	0	John Hutchinson, one undivided fourth part
D/G	58158	44	185	Norman ..	Norman ..	Normanton ..	Allot. 15 of sec. 27	0	1	0	Hugh Bernard Rafferty, one undivided fourth part
D/G	58151	44	178	Norman ..	Norman ..	Normanton ..	Allot. 16 of sec. 27	0	1	0	John Hutchinson, one undivided fourth part
D/G	58152	44	179	Norman ..	Norman ..	Normanton ..	Allot. 16 of sec. 27	0	1	0	James Dominic Murray, one undivided fourth part
D/G	58154	44	181	Norman ..	Norman ..	Normanton ..	Allot. 16 of sec. 27	0	1	0	Hugh Bernard Rafferty, one undivided fourth part
C/T	N1511	91	126	Norman ..	Norman ..	Normanton ..	Allot. 15 of sec. 27	0	1	0	Hugh Bernard Rafferty, one undivided twelfth part
C/T	N1512	91	127	Norman ..	Norman ..	Normanton ..	Allot. 15 of sec. 27	0	1	0	John Hutchinson, one un- divided twelfth part
C/T	N1513	91	128	Norman ..	Norman ..	Normanton ..	Allot. 15 of sec. 27	0	1	0	James Dominic Murray, one undivided twelfth part
C/T	N1514	91	129	Norman ..	Norman ..	Normanton ..	Allot. 6 of sec. 27	0	1	0	Hugh Bernard Rafferty, one undivided twelfth part
C/T	N1515	91	130	Norman ..	Norman ..	Normanton ..	Allot. 6 of sec. 27	0	1	0	John Hutchinson, one undivided twelfth part
C/T	N1516	91	131	Norman ..	Norman ..	Normanton ..	Allot. 6 of sec. 27	0	1	0	James Dominic Murray, one undivided twelfth part
C/T	N1517	91	132	Norman ..	Norman ..	Normanton ..	Allot. 5 of sec. 27	0	1	0	Hugh Bernard Rafferty, one undivided twelfth part
C/T	N1518	91	133	Norman ..	Norman ..	Normanton ..	Allot. 5 of sec. 27	0	1	0	John Hutchinson, one undivided twelfth part
C/T	N1519	91	134	Norman ..	Norman ..	Normanton ..	Allot. 5 of sec. 27	0	1	0	James Dominic Murray, one undivided twelfth part

SCHEDULE I.—*continued.*

C/T or D/G.	No.	Vol.	Fol.	County.	Parish.	Town.	Description of Property.	Area.			Registered Proprietor.
								A.	R.	P.	
C/T	N1520	91	135	Norman ..	Norman ..	Normanton ..	Allot. 16 of sec. 27	0	1	0	Hugh Bernard Rafferty, one undivided twelfth part
C/T	N1521	91	136	Norman ..	Norman ..	Normanton ..	Allot. 16 of sec. 27	0	1	0	John Hutchinson, one undivided twelfth part
C/T	N1522	91	137	Norman ..	Norman ..	Normanton ..	Allot. 16 of sec. 27	0	1	0	James Dominic Murray, one undivided twelfth part

SCHEDULE II.

Mineral Homestead Lease No. 238, Volume 33, Folio 51, under "*The Mineral Homestead Leases Act of 1891*," Mining District of Walsh and Tinaroo, County of Cardwell, Parish of Mullaburra, Allotment 14 of Section 13, Town of Mount Garnet, containing 1 rood 10 perches in the name of Thomas William O'Brien.

Miner's Homestead Lease No. 319, Volume 108, Folio 66, under "*The Mining Act of 1898*," Proclaimed Field of Walsh and Tinaroo, County of Cardwell, Parish of Mullaburra, Town of Coolgarra, containing 2 roods in the name of Thomas William O'Brien.

Lease No. N76897, under "*The Sugar Works Act of 1911*," County of Nares, Parish of Bellenden Ker, Town of Babinda, Allotment 13 of Section 2 of Portion 129, described in Deed of Grant No. N9151, Volume 178, Folio 5, containing 1 rood in the name of John Heavey.

Lease No. N81300, under "*The Sugar Works Act of 1911*," County of Nares, Parish of Bellenden Ker, Town of Babinda, Allotment 14 of Section 2 of Portion 129, described in Deed of Grant No. N9151, Volume 178, Folio 5, containing 1 rood in the name of John Heavey.

SCHEDULE III.

C/T or D/G.	No.	Vol.	Fol.	County.	Parish.	Town.	Description of Property.	Area.			Registered Proprietor.
								A.	R.	P.	
D/G	55352	40	60	Nares ..	Cairns ..	Cairns ..	Allot. 18 of sec. 19	0	1	0	John Heavey, of Cairns, Roman Catholic Bishop and Vicar Apostolic
D/G	55353	40	61	Nares ..	Cairns ..	Cairns ..	Allot. 17 of sec. 19	0	1	0	John Heavey and Michael Joseph Moran, as Joint Tenants
D/G	55338	40	54A	Nares ..	Cairns ..	Cairns ..	Allot. 20 of sec. 19	0	1	0	John Heavey, of Cairns, Roman Catholic Bishop and Vicar Apostolic
D/G	55339	40	54B	Nares ..	Cairns ..	Cairns ..	Allot. 19 of sec. 19	0	1	0	John Heavey, of Cairns, Roman Catholic Bishop and Vicar Apostolic
D/G	55340	40	54C	Nares ..	Cairns ..	Cairns ..	Allot. 2 of sec. 19	0	1	0	John Heavey, of Cairns, Roman Catholic Bishop and Vicar Apostolic
D/G	55341	40	54D	Nares ..	Cairns ..	Cairns ..	Allot. 1 of sec. 19	0	1	0	John Heavey, of Cairns, Roman Catholic Bishop and Vicar Apostolic
D/G	55384	40	88	Nares ..	Cairns ..	Cairns ..	Allot. 3 of sec. 19	0	1	0	John Heavey, of Cairns, Roman Catholic Bishop and Vicar Apostolic
D/G	54836	39	9	Nares ..	Johnstone ..	Geraldton ..	Allot. 9 of sec. 7	0	1	0	James Dominic Murray
D/G	54838	39	11	Nares ..	Johnstone ..	Geraldton ..	Allot. 12 of sec. 7	0	1	0	William Francis O'Byrne and Cornelius O'Neill, as Joint Tenants
D/G	N4518	112	112	Nares ..	Tinaroo ..	Mareeba ..	Allot. 18 of sec. 8	0	1	0	John Heavey and James Joseph Phelan, as Joint Tenants

1941.

Roman Catholic Church (Northern Lands), Etc., Act.

RELIGION.

Roman Catholic Church (Northern Lands), Etc., Act. 6 GEO. VI. 1941.

SCHEDULE III.—*continued.*

C/T or D/G.	No.	Vol.	Fol.	County.	Parish.	Town.	Description of Property.	Area.			Registered Proprietor.
								A.	R.	P.	
D/G	N3603	106	99	Nares ..	Tinaroo ..	Mareeba ..	Allot. 19 of sec. 8	0	1	0	John Heavey and John Joseph Phelan, as Joint Tenants
D/G	N3615	106	111	Nares ..	Tinaroo ..	Mareeba ..	Allot. 20 of sec. 8	0	1	0	John Heavey and John Joseph Phelan, as Joint Tenants
D/G	N4159	109	117	Nares ..	Tinaroo ..	Mareeba ..	Allot. 5 of sub-sec. 2	3	3	17·4	John Heavey, of Cairns, Roman Catholic Bishop and Vicar Apostolic
C/T	N12236	163	110	Nares ..	Tinaroo ..	..	Resubs. 2, 3, and 4, of subdiv. 2 of allot. 4 of sub- sec. 2	1	3	9·2	James Dominic Murray and Patrick Bernard Doyle, as Joint Tenants