



Roman Catholic Church (Northern Lands) Vesting Act 1941

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Reprint note

Subsection headings have been reformatted in this reprint to reflect current drafting styles.



Queensland

Roman Catholic Church (Northern Lands) Vesting Act 1941

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Roman Catholic Church (Northern Lands) Vesting Act 1941

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 1861* and the *Religious, Educational, and Charitable Institutions Act 1861 Amendment Act 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 firstmentioned 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

Preamble

- 1 Pursuant to letters patent dated 21 January 1926, 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 1861* John Heavey of Cairns in the State 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’ (the *previous corporation*).
- 2 On 14 July 1941, 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.
- 3 It is now desired pursuant to the powers and authorities contained in the *Religious, Educational, and Charitable Institutions Act 1861 Amendment Act 1895* to cancel the letters patent constituting such previous corporation.

- 4 Application has been made to the Governor in Council pursuant to the *Religious Educational and Charitable Institutions Act 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' (the ***proposed new corporation***).
- 5 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 1

- 6 Such freehold lands are more particularly described in schedule 1.
- 7 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 2

- 8 The said leases are more particularly described in schedule 2.
- 9 Pursuant to letters patent dated 22 May 1935, 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 1861* Joseph Phelan holding and exercising a certain office (namely Vicar Provincial of the Order of the 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'.
- 10 It is desired that certain land being freehold land in the names of various registered proprietors shall be vested in the said lastmentioned corporation.

Sch 3

- 11 The said freehold lands are more particularly described in schedule 3.
- 12 It is desirable to give effect to such vesting as hereinbefore referred to.

1 Short title

This Act may be cited as the *Roman Catholic Church (Northern Lands) Vesting Act 1941*.

2 Definitions

In this Act—

Corporation of the Vicar Provincial means ‘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 22 May 1935, 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 1861* as referred to in the preamble.

proposed new corporation means 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 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.

3 Vesting of lands in the Roman Catholic Trust Corporation for the Diocese of Cairns—schs 1 and 2

On the issue by the Governor in Council of letters patent as referred to in the preamble and in section 2, all lands, tenements, hereditaments, and leases, being the lands, tenements, hereditaments, and leases more particularly described in schedules 1 and 2, 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.

3A Vesting of certain lands in the Roman Catholic Trust Corporation for the Diocese of Cairns

- (1) The estate in fee simple in the lands set out and described in schedule 4 and the improvements thereon are hereby divested from the persons who at the passing of this Act are the registered proprietors and shall be conveyed and transferred to and vest in and it is hereby declared always have on and from the issue of the letters patent referred to in section 3 been vested in The Roman Catholic Trust Corporation for the Diocese of Cairns completely freed and discharged from the trusts (if any) under which the same are then held.
- (2) The provisions of this Act shall apply in relation to the lands set out and described in schedule 4 as if schedule 4 were part of schedule 1.

4 Vesting of lands in the Vicar Provincial of the Order of Hermits of Saint Augustine in Queensland—sch 3

All lands tenements and hereditaments being the lands tenements and hereditaments more particularly described in

schedule 3 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 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 2) (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 Powers of the proposed new corporation—schs 1 and 2

- (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 1 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 2, 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 1861* and the *Religious, Educational, and Charitable Institutions Act 1861 Amendment Act 1895* and the *Land Title Act 1994* and by the constitution and rules for the time being of the proposed new corporation.

- (2) **Powers of the Corporation of the Vicar Provincial—sch 3**

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 3 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 Charitable Institutions Act 1861* and the *Religious, Educational, and Charitable Institutions Act 1861 Amendment Act 1895* and the *Land Title Act 1994* and by the constitution and rules for the time being of the said corporation.

6 Power to mortgage

- (1) 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.
- (2) 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.

7 Power to lease

- (1) 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 sublet the said lands or any portion or portions thereof for any term not exceeding 21 years upon such terms and conditions as it deems proper.

- (2) Every lease or sublease granted in pursuance of the powers aforesaid may be surrendered and a new lease or sublease of the whole or any portion of the land comprised in any surrendered lease or sublease may be granted subject to the provisions of this Act with regard to the granting of a lease or sublease.

8 Power to sublet in case of mining and other leases—sch 2

- (1) 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 2 to sublease 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.
- (2) 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 1911* referred to in schedule 2 to sublease all or any of such leases and the provisions of the *Sugar Works Act 1911* shall, mutatis mutandis, where necessary apply and extend accordingly.

9 Power to sell

In addition 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.

10 Receipts for mortgage and purchase

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, she or they shall not be bound or required to see to the application thereof or be affected by the misapplication or non-application thereof.

11 Income and profits

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.

12 Preservation of rights

- (1) 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 the person 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 in the case of 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.
- (2) However, 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 Vesting of property on the dissolution of the Corporation of the Vicar Apostolic of the Vicariate Apostolic of Cooktown

- (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 4 of the *Religious, Educational, and Charitable Institutions Act 1861 Amendment Act 1895* (in this section called the *dissolved corporation*) it is hereby declared that, unless the order in council (as referred to in the *Religious, Educational, and Charitable Institutions Act 1861 Amendment Act 1895*, section 5(1)) 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 Act 1861* 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.

- (1A) However, 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 5 to 12 and 14 and 15 shall with any necessary modifications apply and extend to all matters and things referred to in this section.

14 Duty of registrar of titles in respect of proposed new corporation—sch 1

- (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 Act 1861* to be conveyed, transferred to, and vested in the proposed new corporation by virtue of this Act (and described in schedule 1) 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 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.
- (2) **Duty of registrar of titles in respect of Corporation of Vicar Provincial—sch 3**

The 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 Act 1861* conveyed transferred to and vested in such corporation by virtue of this Act (and described in schedule 3) 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 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.

15 Duty of secretary for mines and other registration officers—sch 2

- (1) The secretary for mines (or the proper officer of the Mines Department) and the proper officer in respect of the *Sugar Works Act 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 2) 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.
- (2) Any other proper officer of any other registry concerned shall, in like manner, observe, *mutatis mutandis*, the provisions of this section.

16 Notification in gazette

A notification in the gazette by the Minister administering the *Religious Educational and Charitable Institutions Act 1861*—

- (a) as to the cancellation, pursuant to the provisions of the *Religious, Educational, and Charitable Institutions Act 1861 Amendment Act 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 firstmentioned 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 2);

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)) for the purposes of this Act.

Schedule 1

C/T or D/G.	No.	Vol.	Fol.	County.	Parish.	Town.	Description of Property.	Area.	Registered Proprietor.
C/T	65645	27	165	Banks ..	Cook ..	Cooktown ..	Allot. 14 of sec. 13	A. R. P. 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

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Schedule 1

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

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	N0639	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

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Schedule 1

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	N19092	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 8 12-9	John Heavey, of Cairns, Vicar
D/G	54895	39	8	Nares	..	Johnstone	..	Gerakton	Allot. 8 of sec. 7	0 1 0	James Dominic Murrey

C/T	N15879	181	98	Nares ..	Mourilyan ..	Mourilyan ..	Allot. 9 of sec. 3	A.	R.	F.	Michael Clancy
D/G	40511	19	73	Nares ..	Salisbury ..	Salisbury ..	Allot. 17 of sec. 3	0	1	0	Robert Dunne, one undivided half part
D/G	40512	19	74	Nares ..	Salisbury ..	Salisbury ..	Allot. 17 of sec. 3	0	1	0	John Cani, one undivided half part
D/G	40598	19	103	Nares ..	Salisbury ..	Salisbury ..	Allot. 18 of sec. 3	0	0	37.2	Robert Dunne, one undivided half part
D/G	40594	19	104	Nares ..	Salisbury ..	Salisbury ..	Allot. 18 of sec. 3	0	0	37.2	John Cani, one undivided half part
D/G	40595	19	105	Nares ..	Salisbury ..	Salisbury ..	Allot. 19 of sec. 3	0	0	20.5	Robert Dunne, one undivided half part
D/G	40596	19	106	Nares ..	Salisbury ..	Salisbury ..	Allot. 19 of sec. 3	0	0	20.5	John Cani, one undivided half part
D/G	58171	44	199	Norman ..	Norman ..	Norman ..	Allot. 5 of sec. 27	0	1	0	James Dominic Murray, one undivided fourth part
D/G	58172	44	200	Norman ..	Norman ..	Norman ..	Allot. 5 of sec. 27	0	1	0	John Hutchinson, one undivided fourth part
D/G	58174	44	202	Norman ..	Norman ..	Norman ..	Allot. 5 of sec. 27	0	1	0	Hugh Bernard Rafferty, one undivided fourth part
D/G	58167	44	195	Norman ..	Norman ..	Norman ..	Allot. 6 of sec. 27	0	1	0	James Dominic Murray, one undivided fourth part
D/G	58168	44	196	Norman ..	Norman ..	Norman ..	Allot. 6 of sec. 27	0	1	0	John Hutchinson, one undivided fourth part
D/G	58170	44	198	Norman ..	Norman ..	Norman ..	Allot. 6 of sec. 27	0	1	0	Hugh Bernard Rafferty, one undivided fourth part
D/G	58159	44	187	Norman ..	Norman ..	Norman ..	Allot. 14 of sec. 27	0	1	0	John Hutchinson and Nicholas Michael Browne, as Joint Tenants

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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	58164	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 undivided 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

C/T	N1520	91	135	Norman ..	Norman ..	Normanton ..	Allot. 16 of sec. 27	A.	R.	P.	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 2

- 1 Mineral homestead lease no. 238, volume 33, folio 51, under the *Mineral Homestead Leases Act 1891*, Mining District of Walsh and Tinaroo, County of Cardwell, Parish of Mullaburra, allotment 14 of section 13, Town of Mount Garnet, containing 1 rd 10 p in the name of Thomas William O'Brien.
- 2 Miner's homestead lease no. 319, volume 108, folio 66, under the *Mining Act 1898*, Proclaimed Field of Walsh and Tinaroo, County of Cardwell, Parish of Mullaburra, Town of Coolgarra, containing 2 rd in the name of Thomas William O'Brien.
- 3 Lease no. N76897, under the *Sugar Works Act 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 rd in the name of John Heavey.
- 4 Lease no. N81300, under the *Sugar Works Act 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 rd in the name of John Heavey.

Schedule 3

C/T or D/G.	No.	Vol.	Fol.	County.	Parish.	Town.	Description of Property.	Area.	Registered Proprietor.
D/G	55352	40	60	Nares ..	Cairns ..	Cairns ..	Allot. 18 of sec. 19	A. 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 Puelan, as Joint Tenants

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D/G	N3603	106	99	Nares	..	Tinaroo	..	Mareeba	..	Allot. 19 of sec. 8	A. 0 P. 1 R. 0	John Heavey and John Joseph Pheelan, as Joint Tenants
D/G	N3615	106	111	Nares	..	Tinaroo	..	Mareeba	..	Allot. 20 of sec. 8	0 1 0	John Heavey and John Joseph Pheelan, 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

Schedule 4

C/T or D/G	No.	Vol.	Fol.	County	Parish	Town	Description of Property	Area	Registered Proprietor
C/T	58325	21	175	Banks	Cook (previously known as Cooktown)	Cooktown	Allot. 12 of sec. 5	A. R. P. 0 1 0	James Dominick Murray and Francis Alpius Dempsey as joint tenants
C/T	88763	54	1A	Banks	Cook (previously known as Cooktown)	Cooktown	Allot. 13 of sec. 5	0 1 0	John Hutchinson, James Dominick Murray and Edmund Bellord Power as joint tenants
C/T	88807	54	9A	Banks	Cook (previously known as Cooktown)	Cooktown	Allot. 14 of sec. 5	0 1 0	John Hutchinson, James Dominick Murray and Edmund Bellord Power as joint tenants
C/T	88764	54	1B	Banks	Cook (previously known as Cooktown)	Cooktown	Allot. 15 of sec. 5	0 0 34	John Hutchinson, James Dominick Murray and Edmund Bellord Power as joint tenants
C/T	41934	13	186	Banks	Cook	Cooktown	Allot. 8 of sec. 16	0 1 0	Edmond O'Flynn as Trustee with the will of the estate of Kate Timony otherwise Catherine Timony deceased
C/T	42508	13	230	Banks	Cook	Cooktown	Allot. 9 of sec. 20	0 1 0	Edmond O'Flynn as Trustee with the will of the estate of Kate Timony otherwise Catherine Timony deceased

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Schedule 4

C/T or D/G	No.	Vol.	Fol.	County	Parish	Town	Description of Property	Area	Registered Proprietor
C/T	N.2619	100	90	Banks	Cook	..	Subdiv. 1 of port. 3	A. R. P. 34 1 2	John Heavey, of Cairns, Roman Catholic Bishop and Vicar Apostolic and Patrick Bernard Doyle as joint tenants
C/T	N.2620	100	91	Banks	Cook	..	Subdiv. 2 of port. 3	9 1 26.9	John Heavey, of Cairns, Roman Catholic Bishop and Vicar Apostolic and Patrick Bernard Doyle as joint tenants
D/G	40507	19	69	Solander (previously known as Nares)	Salisbury	Port Douglas	Allot. 15 of sec. 3	0 1 0	Robert Dunne Roman Catholic Bishop of Brisbane as tenant in common for one undivided half part
D/G	40508	19	70	Solander (previously known as Nares)	Salisbury	Port Douglas	Allot. 15 of sec. 3	0 1 0	John Cani as tenant in common for one undivided half part
D/G	40509	19	71	Solander (previously known as Nares)	Salisbury	Port Douglas	Allot. 16 of sec. 3	0 1 0	Robert Dunne Roman Catholic Bishop of Brisbane as tenant in common for one undivided half part
D/G	40510	19	72	Solander (previously known as Nares)	Salisbury	Port Douglas	Allot. 16 of sec. 3	0 1 0	John Cani as tenant in common for one undivided half part

1 Index to endnotes

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- 6 Table of changed citations and remade laws
- 7 Table of obsolete and redundant provisions
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2 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amd	= amendment	prov	= provision
t			
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No. [X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renu	= renumbered
		m	
ins	= inserted	rep	= repealed
lap	= lapsed	(retro	= retrospectively
)	

Key	Explanation	Key	Explanation
notfd	= notified	rv	= revised version
num	= numbered	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2012
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous	m	

3 Table of reprints

A new reprint of the legislation is prepared by the Office of the Queensland Parliamentary Counsel each time a change to the legislation takes effect.

The notes column for this reprint gives details of any discretionary editorial powers under the **Reprints Act 1992** used by the Office of the Queensland Parliamentary Counsel in preparing it. Section 5(c) and (d) of the Act are not mentioned as they contain mandatory requirements that all amendments be included and all necessary consequential amendments be incorporated, whether of punctuation, numbering or another kind. Further details of the use of any discretionary editorial power noted in the table can be obtained by contacting the Office of the Queensland Parliamentary Counsel by telephone on 3003 9601 or email legislation.queries@oqpc.qld.gov.au.

From 29 January 2013, all Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints is not continued with the relevant details for historical reprints included in this table.

Reprint No.	Amendments to	Effective	Reprint date
1	1981 amending Act	13 November 1981	30 April 1996

Current as at	Amendments included	Notes
30 April 1996 2rv	1981 amending Act	RA ss 35, 44

4 List of legislation

Roman Catholic Church (Northern Lands) Vesting Act 1941 6 Geo 6

date of assent 16 December 1941
commenced on date of assent
amending legislation—

Roman Catholic Church (Northern Lands) Vesting Act Amendment Act 1981

date of assent 13 November 1981
commenced on date of assent

5 List of annotations

Vesting of certain lands in the Roman Catholic Trust Corporation for the Diocese of Cairns

s 3A ins Roman Catholic Church (Northern Lands) Vesting Act Amendment Act 1981 s 2

SCHEDULE 4

sch 4 ins Roman Catholic Church (Northern Lands) Vesting Act Amendment Act 1981 s 3

6 Table of changed citations and remade laws

under the Reprints Act 1992 ss 21A and 22

Old	New	Reference provision
Real Property Act 1861	Land Title Act 1994	Land Title Act 1994 s 207

7 Table of obsolete and redundant provisions

under the Reprints Act 1992 s 39

Omitted provision	Provision making omitted provision obsolete/ redundant
definitions to be read in context	Acts Interpretation Act 1954 s 32A
deputy registrar of titles	see Lands Legislation Amendment Act 1992 (rep s 5 sch 3)
references included in citation of law	Acts Interpretation Act 1954 s 14H
references to Queensland implied	Acts Interpretation Act 1954 s 35

8 Table of renumbered provisions

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