

BUNBURY (ROMAN CATHOLIC OLD CEMETERY) LANDS REVESTMENT.

15° Geo. VI., No. II.

* No. 2 of 1951.

AN ACT relating to the Roman Catholic Old Cemetery at Bunbury (Bunbury Town Lot 300).

[Assented to 13th November, 1951.]

WHEREAS all that piece of land, in this Act referred to as "the land", being formerly Bunbury building Lot 300 but now known as Bunbury Town Lot 300 and being the land comprised in grant enrolled in the Registry of Deeds at Perth and numbered 1347 formerly granted to certain trustees in trust for a burial ground is by virtue of an instrument of conveyance a memorial of which is enrolled in the Registry of Deeds as number 577 in Book 17 now vested in The Roman Catholic Bishop of Perth as the proprietor of an estate in fee simple therein in trust for the purposes of a burial ground: And whereas the land was for some years used as a burial ground, but the use of the land as a burial ground has been discontinued: And whereas it is unlikely that hereafter any person will desire to bury in the land, and the municipality of Bunbury are desirous of converting the land into a closed cemetery and public park and The Roman Catholic Bishop of Perth assents: Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Western Preamble.

No. 2.] *Bunbury (Roman Catholic Old Cemetery) Lands Revestment.* [1951.

Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

short title.

1. This Act may be cited as the *Bunbury (Roman Catholic Old Cemetery) Lands Revestment Act, 1951.*

Lands
revested in
His Majesty.

2. On and after the commencement of this Act, all rights of property which may have at any time been vested by Statute or otherwise in The Roman Catholic Bishop of Perth, or in any other person, in the whole or any part of the land, shall absolutely cease and determine, and the whole of the land and all the right and title thereto both in law and in equity is hereby revested in His Majesty as of his former estate, freed and released from every trust, encumbrance, condition, charge and limitation.

Lands vested
in His
Majesty to be
reserved and
granted to
Municipality
of Bunbury.

3. So soon as may be conveniently done after the land is so revested in His Majesty it shall, in accordance with the provisions of the Land Act, 1933-1950, be reserved as a Class A reserve for the purposes of a closed cemetery and public park, and shall be granted in fee simple to the municipality of Bunbury for those purposes.

Power to
remove
monuments,
etc.

4. When the municipality of Bunbury so becomes the proprietor of the reserve the municipality may remove all or any of the monuments, headstones, and grave fittings then standing upon the reserve to such other place or places within the reserve as it may think fit, or permit any person establishing his right thereto to the satisfaction of the municipality to remove any monument, headstone, or grave fitting from the reserve.

Removal of
remains
from the
reserve.

5. It shall not be necessary for the municipality to remove from the reserve the remains of any persons formerly buried in the land comprised in the reserve, but the municipality shall permit the exhumation and removal of any such remains from the reserve at any time by any person who proves to the satisfaction of the municipality that at the commencement of this Act he had a title to the area of land within the reserve in which the remains sought to be removed were buried.