

SCOTS CHURCH  
TRUSTEES.

An Act to enable the Trustees of the Scots Church in Sydney in the Colony of New South Wales to grant a mortgage to Government on the buildings now erecting on their allotment for the amount of a loan advanced by Government to enable the said Trustees to erect the said Church and also for the amount of a further loan advanced by Government in aid of the establishment of the Australian College. [13th October, 1832.]

Preamble.

**W**HEREAS by a certain deed of grant duly executed and bearing date the tenth day of November in the year of our Lord one thousand eight hundred and twenty-six His Excellency Lieutenant General Ralph Darling then Captain General and Governor-in-Chief of the said Colony did under and by virtue and in pursuance of the power and authority in him vested give and grant unto the Reverend John Dunmore Lang Doctor in Divinity John Piper Thomas M'Vitie and David Ramsay Esquires Trustees for the Congregation of Scots Presbyterians in Sydney and to their successors in office for ever a certain piece or parcel of land containing two roods and thirty-nine perches lying and situate in the Parish of Saint Philip in the County of Cumberland bounded on the north-east by Underwood's allotment bearing east thirty-six degrees and a half south one chain and eighty links on the south-east by a line bearing south thirty-three degrees and a half west three chains and fifty-seven links to the barrack wall by that wall to the street one chain on the south-west by the street bearing north-west by Charlotte-place bearing north thirty-one degrees and thirty minutes west one chain and forty-three links and on the north-west by Charlotte-place bearing north thirty-six degrees and a half east three chains and sixty-four links but declaring that the ground thereby conveyed was granted for the purpose of erecting a Scots Church in which the ordinances of religion should be dispensed by a regularly ordained Minister of the Church of Scotland and such other buildings therewith connected as the Trustees might think fit to erect And whereas the Colonial Treasurer of the said Colony by an order or warrant of His Excellency Sir Thomas Brisbane then Governor of the said Colony in the year of our Lord one thousand eight hundred and twenty-five on the part of the Government of the said Colony lent and advanced to the said John Dunmore Lang Doctor in Divinity John Piper Thomas M'Vitie and David Ramsay as Trustees as aforesaid the sum of two thousand four hundred dollars for the purpose of enabling the said Trustees to erect a Church upon the said parcel of land above mentioned upon condition of the repayment thereof by the said Trustees to the Government And whereas an Academical Institution or College has lately been established for the education of youth and the said Trustees of the Scots Church have agreed and consented that the necessary buildings for the purpose of carrying on the said Institution should be erected upon a part of the said parcel of land hereinbefore mentioned And whereas upon application being made to him for that purpose the Right Honorable the Secretary of State for the Colonies has been pleased to authorize the Governor

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Governor of the said Colony of New South Wales to advance a loan of three thousand five hundred pounds to the promoters of the above undertaking from the Colonial Treasury towards enabling them to complete the same upon condition that the said Institution or College together with all the buildings thereunto belonging or appertaining should be erected or built upon the ground belonging to the said Scots Church and that the promoters of the undertaking should previously expend a similar amount in the erection of the above buildings and that the above buildings when erected should stand as a security to the Government of the said Colony for the repayment of the sums advanced by the said Government for the purpose aforesaid And whereas the Colonial Treasurer of the said Colony by the order or warrant of His Excellency Colonel Patrick Lindesay then Acting Governor of the said Colony in the year of our Lord one thousand eight hundred and thirty-one paid to the said Trustees in pursuance of the said arrangement entered into with the Right Honorable the Secretary of State for the Colonies as aforesaid the sum of one thousand five hundred pounds And whereas a sum of money exceeding the said sum of one thousand five hundred pounds has already been expended in erecting the buildings for the said Institution or College on the said parcel of land hereinbefore mentioned And whereas it would be beneficial to the public and to the advancement and promotion of knowledge within the said Colony if the said John Dunmore Lang Doctor in Divinity John Piper Thomas M'Vitie and David Ramsay and the other promoters of the said Institution were enabled to carry the agreement hereinbefore mentioned into effect and for that purpose that the said Trustees of the Scots Church should be empowered to grant a mortgage of the said land and premises aforesaid to the Collector of Internal Revenue of the said Colony for the time being for and on behalf of the Government of the said Colony but the same cannot be effected without the aid and authority of an Act or Ordinance of His Excellency the Governor with the advice and consent of the Legislative Council Be it therefore enacted by His Excellency the Governor of New South Wales by and with the advice of the Legislative Council That from and after the passing of this Act it shall and may be lawful for the said John Dunmore Lang John Piper Thomas M'Vitie and David Ramsay Trustees as aforesaid of the said congregation of Scots Presbyterians in Sydney and their successors to transfer or mortgage the said parcel of land hereinbefore mentioned together with the buildings now erected or hereafter to be erected thereon to the Collector of the Internal Revenue of the said Colony and to his successors in office for the time being for and on behalf of the Government thereof for securing the repayment of the said sums of two thousand four hundred dollars and one thousand five hundred pounds so advanced to the said Trustees as aforesaid and of the further sum of two thousand pounds when advanced to the said Trustees or their successors under the agreement as aforesaid and by writing under the hands and seals of any three or more of the said Trustees or their successors to assign the said parcel of land aforesaid together with the buildings now erected or hereafter to be erected thereon to the Collector of the Internal Revenue of the said Colony or to his successor or successors in his said office for the time being for and on behalf of the Government of the said Colony as a security for the repayment of the said principal sums of money so advanced to the said Trustees as aforesaid and for any such further sum or sums of money as shall be advanced to the said Trustees by the said Government of the said Colony as aforesaid.

Authorizing the Trustees of the Scots Church Estate to mortgage the same to Government.

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Act not to affect the  
rights of His Majesty  
or of others not men-  
tioned herein.

2. Provided always and be it further enacted That nothing in this Ordinance contained shall be deemed to affect or apply to any right title or interest of His Majesty his Heirs or Successors or of any body corporate or politic or of any other person or persons excepting such as are mentioned herein or of those claiming by or under him or them.

Commencement of  
Act.

3. And be it further enacted That this Ordinance shall not commence or take effect until the same shall have received the Royal approbation and the notification of such approbation shall have been made by His Excellency the Governor in the *New South Wales Government Gazette*.