

An Act for enabling the Missionaries of the people called Methodists to sell a certain piece of ground in Macquarie-street Sydney for the purpose of purchasing other land in a more central situation to erect a new Chapel thereon. [7th October, 1834.]

WHEREAS by a certain deed of grant bearing date on or about the ninth day of January one thousand eight hundred and twenty-one His Excellency Lachlan Macquarie then Captain General and Governor-in-Chief and under and by virtue of the power and authority in him vested did give and grant unto Benjamin Carvosso Walter Lawry and Ralph Mansfield Missionaries of the people called Methodists their assigns and successors for ever in trust for the use of the Missionaries appointed and to be thereafter appointed by the yearly conference of Methodists late in connection with the Reverend John Wesley deceased for the purpose of erecting a Methodist Chapel thereon all that piece or parcel of ground containing sixty-six rods lying and situate in the town of Sydney bounded on the east by Macquarie-street bearing north two and two-third degrees west one hundred and sixty-six feet on the north side by a line bearing west two and one-third degrees south one hundred and seven feet on the west by a line bearing south one quarter of a degree east one hundred and sixty-six feet and on the south by a line bearing east two and a half degrees north one hundred and thirteen feet reserving at all times the right of appropriating such parts as might be deemed necessary by the Governor for the time being for making and improving the streets and paying to the Crown an annual quit-rent of one pound fifteen shillings and four-pence And whereas a chapel was duly erected on such piece of ground for the use of the people called Methodists And whereas such chapel being in an inconvenient situation it is deemed expedient to sell the said piece of land and to purchase other land in a more central situation in the town of Sydney and erect a chapel on such purchased land for the use of the people called Methodists And whereas the said Benjamin Carvosso and Walter Lawry have been recalled to England by the conference of the people called Methodists and the said Ralph Mansfield has ceased to act as Missionary of the said society or people called Methodists And whereas Joseph Orton William

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William Schofield and William Simpson Missionaries of the said society or people now residing in New South Wales have been regularly appointed by the yearly conference of the Methodists as the successors of the said Benjamin Carvooso Walter Lawry and Ralph Mansfield and are now in possession of the said piece of land and the chapel erected thereon. And whereas for the purpose of effecting the above intentions it is expedient that the said Joseph Orton William Schofield and William Simpson should be enabled and authorized to sell and dispose of the said piece of land in Macquarie-street and to purchase other land and to erect another chapel out of the proceeds to arise from such sale for the use of the people called Methodists. And whereas it is expedient that all doubts should be removed as to the persons in whom the legal estate of the said piece of land in Macquarie-street is now and in whom the legal estate of the land to be so purchased as aforesaid shall be vested but as such objects cannot be accomplished without the aid and authority of the Legislative Council. Be it therefore enacted by His Excellency the Governor of New South Wales with the advice of the Legislative Council thereof That from and after the passing of this Act the legal estate of the said piece or parcel of ground so granted by His Excellency Governor Macquarie by the hereinbefore recited grant shall be considered and the same is hereby declared to be vested in the said Joseph Orton William Schofield and William Simpson Missionaries appointed by the conference of the said society of people called Methodists and that the legal estate in such piece or parcel of ground or in any other piece or parcel of ground to be purchased out of the moneys to arise from the sale of the said land in Macquarie-street under the provisions of this Act shall vest in the said Missionaries for the time being and their successors who shall be regularly appointed by the conference of the people called Methodists in England late in connection with the said John Wesley deceased.

Legal estate vested
in the Missionaries
for the time being.

Missionaries auth-
orized to sell and
execute deeds.

Proceeds of sale to
be paid into the
Treasury.

Power to contract
for purchase of land.

To cause estimates
to be made and
submitted to His
Excellency.

2. And be it further enacted That from and immediately after the passing of this Act it shall be lawful for the said Joseph Orton William Schofield and William Simpson or their successors Missionaries for the time being appointed by the conference of the said society of people called Methodists by public sale to sell and dispose of the said piece or parcel of land in Macquarie-street together with the materials of the chapel now erected thereon and to execute to the purchaser or purchasers thereof respectively a deed or deeds of sale and conveyance of the same.

3. And be it further enacted That the moneys to arise from the sale of the said land and of the materials of the said chapel shall be paid into the hands of the Colonial Treasurer to the credit of the said Joseph Orton William Schofield and William Simpson and their successors Missionaries for the time being appointed by the conference of the said society called Methodists and that the receipt of the Colonial Treasurer shall be a sufficient discharge to the purchaser or purchasers of the said piece or parcel of land and of the materials of the said chapel.

4. And be it further enacted That from and after the passing of this Act it shall be lawful for the said Joseph Orton William Schofield and William Simpson or their successors for the time being Missionaries as aforesaid to contract for the purchase of any piece or parcel of ground in the town of Sydney for the purpose of erecting a chapel thereon for the use of the people called Methodists in the room or stead of the said chapel erected on the said piece or parcel of ground in Macquarie-street.

5. And be it further enacted That it shall be lawful for the said Missionaries or their successors appointed by the conference as aforesaid for the time being to cause estimates of the expense of erecting and building such intended chapel to be made and upon such estimate

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estimate being approved of by His Excellency the Governor of New South Wales to cause such intended new chapel to be erected and built and it shall be lawful for the said Governor from time to time by warrant under his hand to direct the Colonial Treasurer to pay to the said Missionaries or their successors appointed as aforesaid the amount of all such sum or sums of money to become due for or on account of the purchase money of the said land and of the expense of erecting the said chapel. Provided that the moneys so to be drawn for do not exceed in amount and value the moneys paid into the hands of the Colonial Treasurer on account of moneys received from the sale of the said land in Macquarie-street and the materials of the said chapel and the receipt or receipts of the said Missionaries or of the Missionary or Missionaries for the time being appointed by the conference aforesaid shall be a sufficient discharge to the Colonial Treasurer for all moneys which shall be paid by him as aforesaid on account of such land so to be purchased or on account of the building erecting and finishing of such new chapel. And provided further that no sum or sums of money shall be so drawn out of the hands of the said Treasurer unless it shall appear to His Excellency the Governor for the time being that the amount of such sum or sums so required to be withdrawn from the said Treasurer has or have been fully and *bonâ fide* expended in the purchase of the said land and in the erection of the said new chapel for the purposes aforesaid.

6. And be it further enacted That the land to be purchased as aforesaid and the said chapel when built and erected and the several pews and seats within the same and the rents profits and proceeds thereof shall be and the same are hereby declared to be vested in the said Joseph Orton William Schofield and William Simpson and their successors for the time being Missionaries appointed by the conference of the people called Methodists or in such other persons as may be hereafter chosen as Trustees thereof under and in conformity with the rules and regulations of the said conference of Methodists with full power and authority for the said Joseph Orton William Schofield and William Simpson or their successors as aforesaid to transfer such land and chapel to such Trustees who are respectively to execute the usual deed of trust framed and recommended by the said conference for the use of the said people called Methodists.

Purchased land and
chapel to vest in
Missionaries or
Trustees.

7. And be it further enacted That in case no sale of the said land and chapel in Macquarie-street shall take place under the provisions of this Act then the said Joseph Orton William Schofield and William Simpson or their successors missionaries appointed by the conference as aforesaid shall be and they are hereby empowered and enabled to transfer the same unto trustees under and in conformity with the rules and regulations of the said conference of Methodists and such trustees are respectively to execute the usual deed of trust recommended by the said conference for the use of the said people called Methodists.

In case no sale shall
take place Mission-
aries enabled to
transfer to Trustees
&c.

8. And be it further enacted That nothing in this Act or Reserving right of His Majesty &c.

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.

9. 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*.

When this Act is to
take effect.