

SYDNEY BETHEL
UNION TRUSTEES.

An Act to enable the Trustees of "The Sydney Bethel Union" to sell their Land and Buildings in Erskine-street Sydney and to erect a new Mariners' Church in a more convenient situation and for other purposes therein mentioned. [10th December, 1851.]

Preamble.

WHEREAS by a deed of grant bearing date the third day of June one thousand eight hundred and forty-two Her Majesty Queen Victoria did give and grant unto Francis Mitchell Thomas Barker Ambrose Foss Robert Bourne and George Allen all of Sydney their heirs and assigns an allotment of land in Erskine-street in the parish of Saint Philip and in the city of Sydney containing fifteen and a half perches and in the said grant described as "allotment number fourteen of section number fifty-five bounded on the south by a line bearing east fifteen degrees thirty minutes north one hundred and twenty-one links on the east by allotment number fifteen bearing north fifteen degrees thirty minutes west seventy-six links on the north by Erskine-street bearing west fifteen degrees thirty minutes south one hundred and thirty-six links and on the west by Darling Harbour" being the allotment promised by His Excellency Sir Richard Bourke on twenty-second September one thousand eight hundred and thirty-four as the site for the Sydney Bethel Union Chapel to hold in trust for the erection of the Sydney Bethel Union Chapel and for no other purpose And whereas a Bethel Union Chapel or Church was duly erected on such land for the use of mariners And whereas such Mariners' Church being in an inconvenient situation it is deemed expedient to sell the said piece of land with the buildings thereon and to obtain other land in a more suitable situation and to erect a new Church thereon for the use of mariners visiting the Port of Sydney And whereas the said Robert Bourne has ceased to reside in this Colony Be it therefore enacted by His Excellency the Governor of New South Wales by and with the advice and consent of the Legislative Council thereof That it shall be lawful for the said Francis Mitchell Thomas Barker Ambrose Foss and George Allen or the Trustees for the time being of the said Sydney Bethel Union to sell and dispose of the said piece or parcel of land in Erskine-street together with the buildings now erected thereon by public auction or private contract and either in one lot or in several lots as the said Trustees shall think most expedient for such prices as can be reasonably had or obtained for the same and when sold to convey the same or any part or parts thereof to the purchaser or purchasers thereof and thereupon the same respectively shall vest absolutely in the said purchaser or purchasers their or his heirs and assigns freed and discharged from the trusts affecting the same in the hands of the said Trustees.

Trustees authorized to sell and convey land in Erskine-street and buildings thereon.

Proceeds of sale to be paid to the Colonial Treasurer.

2. And be it further enacted That the moneys to arise from the sale of the said land and buildings shall be paid into the hands of the Colonial Treasurer to the credit of the said Trustees for the time being and that the receipt of the Colonial Treasurer shall be a sufficient discharge to the purchaser or purchasers of the said land and buildings or any part or parts thereof and shall wholly exonerate him or them from seeing to the application thereof and from all liability as to the misapplication or non-application thereof.

Sydney Bethel Union Trustees.

3. And be it further enacted, That it shall be lawful for the said Francis Mitchell Thomas Barker Ambrose Foss and George Allen or the Trustees for the time being of the Sydney Bethel Union to purchase or to accept a grant of land in the city of Sydney for the purpose of erecting a new Mariners' Church and all other necessary buildings thereon and to employ the proceeds of the sale of the said land and buildings in Erskine-street in the purchase of such other land and in the erection thereon of a new Mariners' Church and other buildings if required in connection therewith and the drafts of the said Trustees or any three of them purporting on the face of them to be for either of such purposes and to be drawn by the said Trustees as such Trustees shall be a sufficient discharge to the said Colonial Treasurer for all such sum or sums of money as shall be therein expressed to be drawn for and as shall have been paid in pursuance thereof and the said Colonial Treasurer shall not be responsible in respect of any misapplication or nonapplication of any money so paid by him upon any such draft.

Power to Trustees to purchase or accept land and to employ proceeds of sale in erecting new buildings.

4. And be it enacted That the land to be purchased or granted as aforesaid and the new Mariners' Church and buildings when built or erected shall be vested in the said Francis Mitchell Thomas Barker Ambrose Foss and George Allen or other the Trustees for the time being of the said Sydney Bethel Union and that upon the election or appointment at any time hereafter of any other Trustee or Trustees thereof by the subscribers thereto under and in conformity with the rules and regulations of the said institution the said land and buildings shall thereupon and without the execution of any conveyance or transfer thereof become and be vested in the said new Trustee or Trustees together with the continuing Trustees or Trustee if any or alone as the case may require and the said Trustees for the time being shall hold the said land and buildings in trust for the purposes of the said institution and subject to the rules and regulations thereof.

Land and Mariners' Church to vest in Trustees to be chosen.

5. And be it further enacted That in case no sale of the said land and buildings thereon in Erskine-street shall take place under the powers conferred by this Act then the same shall from time to time and at all times be vested in the persons who for the time being shall be the Trustees of the said institution under an election or appointment by the subscribers thereto as aforesaid without any conveyance or transfer of the said land and buildings having been made to any new Trustee or Trustees and shall be held by the said Trustees for the time being in trust for the purposes aforesaid and subject to the rules and regulations of the said institution.

In case no sale takes place present land and buildings to vest in Trustees for the time being.

6. And be it further enacted That nothing in this Act or ordinance contained shall be deemed to affect or apply to any right title or interest of Her Majesty Her 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.

Reserving rights of Her Majesty &c. &c.

7. And be it enacted That this Act shall be deemed and taken to be a public Act and shall be judicially taken notice of accordingly.

This Act to be deemed a public Act.