

An Act to enable the Most Reverend John Bede  
Polding the Right Reverend Henry Gregory  
Gregory and the Very Reverend John  
Thomas Lynch as Trustees of certain land  
situated in the City of Newcastle to sell the  
said land and to provide for the appropriation  
of the proceeds thereof. [13th October, 1862.]

Preamble.

WHEREAS by a Deed of Grant bearing date the second day of August one thousand eight hundred and fifty-eight Her Majesty Queen Victoria did grant unto the said Most Reverend John Bede Polding the Right Reverend Henry Gregory Gregory and the Very Reverend John Thomas Lynch being respectively Trustees nominated and appointed under and by virtue of an Act of the Governor and Legislative Council of New South Wales made and passed in the seventh year of the reign of His late Majesty King William the Fourth intituled "*An Act to promote the building of Churches and Chapels and to provide for the maintenance of Ministers of Religion in New South Wales*" and to their heirs and assigns All that piece or parcel of land in the said Colony of New South Wales containing by admeasurement one rood seventeen perches be the same more or less situated in the County of Northumberland and Parish of Newcastle City of Newcastle allotments numbers two hundred and seventy-six and two hundred and seventy-seven commencing at the north-westerly intersection of Hunter and Wolfe streets and bounded thence on the south by Hunter-street westerly two chains and four links on the west by the east boundary line of allotment two hundred and seventy-eight northerly at right angles to Hunter-street one chain seventy-five links on the north by a line easterly

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easterly parallel with Hunter-street two chains and four links to Wolfe-street and on the east by that street southerly one chain and seventy-five links to the point of commencement with all the rights and appurtenances whatsoever thereto belonging to hold unto them the said Trustees their heirs and assigns for ever upon trust for the erection thereon of a Roman Catholic Church or Chapel in conformity with the provisions of the said Act. And whereas all that piece or parcel of land situate in the City of Newcastle County of Northumberland and Colony of New South Wales commencing at a point on the west side of Wolfe-street bounded on the south by the Railway fence bearing west about two chains ten links on the west by a line bearing north-easterly about eighty-five links on the north by a line bearing south-easterly to Wolfe-street about two chains three links and on the east by said street bearing south-westerly about thirty links to the point of commencement numbered fourteen and containing by admeasurement fourteen perches statute measure being portion of the parcel of land hereinbefore described has been duly set out appropriated and taken for Railway purposes. And whereas the remaining portion of the land so granted as aforesaid has been thereby rendered unsuitable for the purposes declared in the said recited grant and it is expedient that the said remaining portion should be sold and that the proceeds to arise from such sale should be applied in or towards the purchase of another piece of land in the said City of Newcastle as a site for the erection of a Roman Catholic Church thereon and for other the purposes hereinafter mentioned. Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows:—

1. After the passing of this Act it shall be lawful for the said <sup>Trustees authorized to sell.</sup> Most Reverend John Bede Polding Right Reverend Henry Gregory Gregory and Very Reverend John Thomas Lynch as such Trustees as aforesaid their heirs or assigns to sell and dispose of the said remaining portion of the land so granted as aforesaid by public auction or private contract and either in one lot or in several lots as they shall deem most expedient for such price or 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 in fee simple freed and discharged from the said trusts affecting the same and the receipt in writing of the said Trustees their heirs or assigns shall absolutely discharge the purchaser or purchasers of the said land or any part or parts thereof from the purchase money payable by him or them respectively and shall exonerate him or them from seeing to the application of the said purchase money and from all liability as to the misapplication or non-application thereof.

2. The said Trustees their heirs or assigns shall stand possessed <sup>Application of proceeds.</sup> of all moneys arising from any and every sale or sales as aforesaid upon trust to apply the proceeds of such sale in or towards the purchase of another piece of land in the said City of Newcastle as a site for the erection of a Roman Catholic Church thereon and to apply the remainder of the said moneys if any which shall not be required for the purposes aforesaid in or towards the erection of a Roman Catholic Church upon the land to be purchased as aforesaid. And the receipts of any person or persons to whom any moneys shall be paid under the provisions of this Act shall be a valid and complete discharge to the said Trustees their heirs or assigns for such moneys.