

ST. PATRICK'S
CHURCH LAND TRUST.

An Act to enable the Most Reverend John Bede Polding the Venerable John M'Encroe and Owen Joseph Caraher as Trustees of certain Land situated in the city of Sydney to sell the said Land and to provide for the appropriation of the proceeds thereof. [22nd April, 1865.]

Preamble.

WHEREAS by a deed of grant bearing date the twenty-second day of October one thousand eight hundred and sixty-three Her Majesty Queen Victoria did grant unto the said Most Reverend John Bede Polding the Venerable John M'Encroe and Owen Joseph Caraher 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 containing by admeasurement eight perches be the same more or less situated in the county of Cumberland and parish of St. Philip city of Sydney allotment thirteen of section two commencing on the western building line of York-street at the northern corner of allotment twelve and bounded thence on the north-east by that line north-westerly twenty-eight feet on the north-west by the south-east boundary line of allotment fourteen south-westerly at right angles to York-street eighty feet to a lane on the south-west by that lane south-easterly parallel with York-street twenty-eight feet and on the south-east by the north-west boundary line of allotment twelve aforesaid north-easterly at right angles to York-street eighty feet 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 appropriation thereof as the site of a dwelling-house garden and other appurtenances for the clergyman duly appointed to officiate in the Roman Catholic Church of St. Patrick erected at Church Hill and known as the Church of St. Patrick aforesaid in conformity with the provisions of the said Act so far as the same might apply to the trusts of the said grant And whereas the said parcel of land is not conveniently situated for the purposes of the trusts of the said grant and it is desirable that the said land should be sold and the proceeds thereof applied in or towards the purchase of another piece of land and appurtenances in the said city of Sydney to be held upon similar trusts 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:—

Trustees authorized
to sell.

1. From and after the passing of this Act it shall be lawful for the said Most Reverend John Bede Polding the Venerable John M'Encroe and Owen Joseph Caraher as such Trustees as aforesaid their heirs or assigns to sell and dispose of the said 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

Presbyterian Church.

the same or any part or parts thereof to the purchaser or purchasers thereof 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 mis-application or non-application thereof.

2. The said Trustees their heirs or assigns shall stand possessed ^{Application of} ^{proceeds.} 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 and house and appurtenances in the said city of Sydney to be held by the said Trustees their heirs and assigns upon trust as a dwelling-house garden and other appurtenances for the clergyman duly appointed to officiate in the Roman Catholic Church of St. Patrick erected at Church Hill in the said city of Sydney. 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.
