

ST. GEORGE'S PRES-
BYTERIAN CHURCH.

An Act to enable the Trustees of certain Land in Harrington-street in the City of Sydney granted by the Crown for the erection thereon of a Presbyterian Church to sell the said Land and apply the proceeds in or towards satisfaction of the Debt existing on St. George's Church in Castlereagh-street Sydney aforesaid being a Presbyterian Church in connection with the Synod of Eastern Australia. [9th August, 1872.]

Preamble.

Grant of 29th
December 1871.

8 Wm. IV. No. 7.

WHEREAS by a Crown grant under the hand of His Excellency Somerset Richard Earl of Belmore Governor of the Colony of New South Wales and the seal of the said Colony dated the twenty-ninth day of December in the year one thousand eight hundred and seventy-one the said Governor did grant unto Peter Stewart John Macdonald Robert Campbell James Cameron William Buyers Duncan St. Clare Maclardy James Ewan and Duncan Kennedy McIntyre all of Sydney in the said Colony being respectively Trustees nominated and appointed under and by virtue of an Act of the Governor and Legislative Council of the said Colony made and passed in the eighth year of the reign of His late Majesty King William IV intituled "*An Act to regulate the Temporal Affairs of Presbyterian Churches and Chapels connected with the Church of Scotland in the Colony of New South Wales*" and to their heirs and assigns All that piece or parcel of land in the said Colony containing by admeasurement twenty perches be the same more or less situated in the County of Cumberland and Parish of St. Phillip City of Sydney allotment three A of section eighty-four commencing on the eastern building-line of Harrington-street at a point bearing easterly and distant ten links and one half of a link from the south-western corner of allotment three of sixteen perches and one half of a perch and bounded thence on the west by that building-line bearing southerly one chain and twenty-one links on the south by part of the northern boundary-

St. George's Presbyterian Church.

boundary-line of allotment four of nineteen perches and one half of a perch bearing easterly one chain and eight links on the east by part of the western boundary-line of allotment nine of thirteen perches bearing northerly forty-three links and thence by a line bearing north two degrees west seventy-six links and on the north by part of the southern boundary-line of allotment three aforesaid bearing westerly one chain to the point of commencement as per plan written in the margin of the now reciting grant To hold the same unto the said Trustees their heirs and assigns for ever upon trust for the erection thereon of a Presbyterian Church under the superintendence of the Synod of Australia in connection with the established Church of Scotland in conformity with the provisions of the said Act and of a certain other Act of the Governor and Legislative Council of the said Colony made and passed in the seventh year of the reign of His said late Majesty King William the Fourth intituled "*An Act to promote the Building*" 7 Wm. IV. No. 3. "*of Churches and Chapels and to provide for the maintenance of Ministers of Religion in New South Wales*" so far as the same may apply to the trusts of the now reciting grant and for no other purpose whatsoever And whereas the trust upon which it was intended that the said land should be held was erroneously stated in the said grant and should have been expressed to be upon trust for the erection of a Presbyterian Church in connection with the Synod of Eastern Australia And whereas a Presbyterian Church in connection with the said Synod of Eastern Australia called or known as St. George's Church has for many years been erected upon a site in Castlereagh-street in Sydney aforesaid which Church and site were by an indenture dated on or about the thirtieth day of July one thousand eight hundred and fifty-nine conveyed by one Gregory Board to William Manson William Buyers John McDougall John Cameron John McDonald James Cameron John Moon John Liddell Sheriff Robert Campbell Peter Stewart and Alexander Learmonth as Trustees and are now subject to a certain mortgage to John Bayley Darvall dated on or about the first day of August one thousand eight hundred and fifty-nine whereon there is due a considerable sum of money for principal and which said mortgage was transferred to Mrs. Mary Ann Burdekin And whereas the said Peter Stewart John Macdonald Robert Campbell James Cameron William Buyers Duncan St. Clare Maclardy James Ewan and Duncan Kennedy McIntyre are the present Trustees of the said St. George's Church and site And whereas the said land so granted as aforesaid is inconveniently situated and ineligible for the purpose of the said trust and it is deemed expedient to sell the same and apply the proceeds in manner 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. It shall be lawful for the said Peter Stewart John Macdonald Robert Campbell James Cameron William Buyers Duncan St. Clare Maclardy James Ewan and Duncan Kennedy McIntyre or the survivors or survivor of them or the Trustees or Trustee for the time being of the said land so granted as aforesaid to sell and dispose thereof by public auction or private contract and either in one lot or in several lots as the said Trustees or Trustee shall think most expedient for such price or prices as can be reasonably had or obtained for the same and when sold to convey or transfer the same premises or any part or parts thereof to the purchaser or purchasers thereof and thereupon the same shall vest absolutely in the said purchaser or purchasers his her or their heirs and assigns freed and discharged from all trusts affecting the said land or any part thereof.

Power to sell and transfer the land.

Proceeds of sale
to be paid into the
hand of the Colonial
Treasurer.

2. The clear moneys to arise from the sale of the said land after payment of the necessary expenses incurred in or about such sale or sales shall be paid into the hands of the Colonial Treasurer for the time being to the credit of the said Trustees or the survivors or survivor of them and the receipt of the said Colonial Treasurer shall be a sufficient discharge to the purchaser or purchasers of the said land or any part or parts thereof and shall wholly exonerate him her or them from seeing to the application thereof and from all liability as to the misapplication or nonapplication thereof.

Power to apply pro-
ceeds of sale in
liquidation of the
debt existing on
St. George's Pres-
byterian Church.

3. It shall be lawful for the said Trustees or the survivors or survivor of them or the Trustees or Trustee for the time being of the said St. George's Church and they and he are hereby authorized and empowered to apply the moneys which may be raised or received by or from sale of the said land or any part thereof in paying off or reducing the said mortgage now existing on the said St. George's Church Provided always that the said Church and the site thereof with the appurtenances thereto when such mortgage is discharged shall vest in the said Peter Stewart John Macdonald Robert Campbell James Cameron William Buyers Duncan St. Clare Maclardy James Ewan and Duncan Kennedy McIntyre or the survivors or survivor of them their or his heirs and assigns as Trustees or Trustee for a Presbyterian Church in connection with the said Synod of Eastern Australia.

Drafts or orders of
three Trustees to
exonerate Colonial
Treasurer.

4. The drafts or orders of the said Trustees named in the said grant or of the said St. George's Church or any three of them on the Colonial Treasurer purporting to be for both or either of such last-mentioned purposes and to be drawn by such Trustees as such shall be sufficient discharges to the said Colonial Treasurer for all and every sums and sum of money as shall be therein expressed 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 on any such draft or order.