

## No. XV.

An Act to authorize the resumption by Her Majesty of a portion of the Presbyterian Church Grant in the City of Bathurst for the purpose of widening a lane between the said grant and the Public School site and to declare the Trusts on which the purchase money of the land resumed shall be held and for other purposes. [16th May, 1884.]

BATHURST  
PRESBYTERIAN  
CHURCH GRANT  
RESUMPTION.

**W**HEREAS by Crown grant dated the sixteenth day of February one thousand eight hundred and seventy-two under the hand of Somerset Richard Earl of Belmore Governor of the Colony of New South Wales and the seal of the said Colony and registered folio 98 of Volume cxxxv of the registered book the portion of land in the City of Bathurst in the said Colony described in the said grant was granted to the Trustees therein named and their successors upon trust for the erection and maintenance on the land so granted of a church for the use of a congregation under the spiritual superintendence of and in connection with the General Assembly of the Presbyterian Church of New South Wales and for no other purpose whatsoever. And whereas such church has been erected on the said land And whereas a lane described in the said grant as being thirty-three links wide being the south-east boundary of the said land and dividing it from the Public School site in Howick-street in the said city was reserved as shown in the map of the city of Bathurst dated one thousand eight hundred and forty-six in the office of the Surveyor-General of the said Colony And whereas the Public School and offices or buildings appurtenant thereto erected on the south-eastern side of the said lane and opposite to the land so granted have been found to encroach by ten feet or thereabouts on the said lane And whereas the Trustees of the land so granted consent to the resumption by Her Majesty of a strip of such land being ten feet in width and which strip is more particularly described in the Schedule hereto for the purpose of increasing the width of the said lane to the original width of thirty-three links for the sum of two hundred and fifty pounds sterling but have no power by law to sell or dedicate any portion of the land so granted as aforesaid And whereas it is expedient that authority should be given for the resumption and dedication of the said strip of land and that the portion of the said lane encroached upon by the said Public School and buildings as hereinafter more particularly described should be vested in Her Majesty for the purposes of public instruction subject to the provisions of the "Public Instruction Act of 1880" And that in consideration of such resumption as aforesaid the said sum of two hundred and fifty pounds should be paid to the said Trustees upon the trust hereinafter declared 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. Upon the passing of this Act the land described in the First Schedule hereto shall vest in Her Majesty absolutely for an estate

Land in First  
Schedule resumed  
for dedication as  
part of a lane.

*Bathurst Presbyterian Church Grant Resumption.*

estate of inheritance in fee simple but to the intent and upon trust that the same shall be dedicated for the purpose of increasing the width and of forming part of the lane separating the Presbyterian Church grant from the said Public School site hereinbefore referred to And such land shall upon such dedication be subject to the control and maintenance of the Council of the Borough of Bathurst in like manner and to the same extent as other streets and highways within the said Borough.

Land in Second  
Schedule vested in  
the Crown for  
purposes of Public  
Instruction Act.

2. The portion of land situate between the north-western boundary of the Public School site as described in the Crown grant to the Board of National Education dated the eleventh May one thousand eight hundred and fifty-four and registered folio 77 of Volume CXVIII of the registered book and a line formed by the encroachment of the Public School buildings upon the lane hereinbefore described which portion is more particularly described in the Second Schedule hereto shall upon the passing of this Act be vested in Her Majesty for the purposes of Public Instruction subject to the provisions of the "Public Instruction Act of 1880."

Trusts of the sum of  
£250 to be paid to  
the Trustees of the  
Presbyterian Church  
grant.

3. The sum of two hundred and fifty pounds shall be paid out of the Consolidated Revenue by warrant under the hand of the Governor to the Trustees for the time being of the said Presbyterian Church grant who shall stand possessed of the said sum upon the trusts declared in the grant hereinbefore in part recited in respect to the land thereby granted so far as the same subsist and are capable of being carried out.

## FIRST SCHEDULE.

*Description of Land resumed.*

Seven and three-quarters perches county of Bathurst parish of Bathurst city of Bathurst in section number one Commencing on the south-west side of Howick-street at a point one hundred and ninety-three feet three inches south-easterly from its intersection with George-street and bounded thence on the north-east by Howick-street bearing south-easterly ten feet on the south-east by a lane bearing south-westerly two hundred and twelve feet three inches on the south-west by a lane bearing north-westerly ten feet and on the north-west by a line bearing north-easterly two hundred and twelve feet three inches to the point of commencement being part of the Presbyterian Church grant of one acre.

## SECOND SCHEDULE.

*Description of part of lane encroached upon.*

All that piece or parcel of land containing about seven and a quarter perches situated in the county of Bathurst parish of Bathurst city of Bathurst Commencing on the south-west side of Howick-street at a point bearing south-easterly and distant two hundred and fifteen feet three inches from its intersection with the south-east side of George-street and bounded thence on the north-east by that side of Howick-street bearing south-easterly nine feet nine and a half inches thence on the south-east by the south-east side of a lane bearing south-westerly to the north-east side of a lane thirty-three links wide thence on the south-west by that side of that lane bearing north-westerly nine feet six and a half inches and thence on the north-west by a line bearing north-easterly to the point of commencement.