

SAINT JOHN'S
CHURCH LEASING.

An Act to enable the Trustees of a certain parcel of land situate in Market Church and Short Streets in the town of Mudgee granted upon trust for the erection thereon of a Church of the United Church of England and Ireland and of a Schoolhouse and Parsonage in connection therewith to lease certain portions of such land and to apply the rents and profits arising therefrom. [31st October, 1884.]

Preamble.

WHEREAS by a deed of grant bearing date the nineteenth day of October A.D. one thousand eight hundred and forty-three Her Majesty Queen Victoria did grant unto the Right Reverend William Grant Broughton Bishop of Australia George Cox and Nelson Summons Lawson Trustees appointed under and by virtue of the Act eight William the Fourth number five intituled "*An Act to regulate the temporal affairs of Churches and Chapels of the United Church of England and Ireland in New South Wales*" and to their heirs and assigns all that piece or parcel of land in the territory of New South Wales containing by admeasurement two acres and two roods be the same more or less situate in the county of Wellington parish and village of Mudgee commencing at the angle formed by Short-street with the north-western extremity of Church-street and bounded on the north by a line west five chains in Short-street on the west by a line south five chains to Market-street on the south by a line east five chains to the corner of Market-street and Church-street and on the east by a line north five chains in Church-street to the point of commencement to hold the same unto the said Bishop of Australia George Cox and Nelson Summons Lawson their heirs and assigns for ever upon trust for the erection thereon of a Church of the United Church of England and Ireland as by law established and also for the site of a schoolhouse in connection with the said Church and also for a parsonage for the clergyman duly licensed for the said Church And whereas the Church of Saint John at Mudgee and also a schoolhouse in connection with such Church and a parsonage for the clergyman duly licensed for the said Church were erected upon certain portions of the land comprised in the said recited grant And whereas the said Right Reverend William Grant Broughton George Cox and Nelson Summons Lawson are all long since dead and the Honorable George Henry Cox and Robert Hoddle Driberg White are now the Trustees of the said parcel of land and the same is now vested in them upon the trusts and to and for the ends intents and purposes expressed and declared of and concerning the same in and by the hereinbefore recited grant And whereas the portion of land firstly described in the Schedule hereto (being part of the land comprised in the said recited grant) was formerly used and occupied for the purposes of a school in connection with the said Church and playground and teacher's residence in connection therewith but the said school has been for some time past closed and the said land is not now required for any of the purposes named in the said grant and it is expedient that the said Trustees thereof should have power to lease the same And whereas a parsonage was erected upon the parcel of land secondly described in the Schedule hereto (being other portion of

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of the land comprised in the said recited grant) and such parsonage is now old and out of repair and is for other reasons now unsuited for the purpose of a parsonage and it is expedient that the said Trustees should also have power to lease the said parcel of land secondly described in the Schedule hereto and to apply the rents and profits arising from the said parcels of land as hereinafter provided. 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 Honorable George Henry Cox Trustees may grant leases. and Robert Hoddle Driberg White or the survivor of them or other the Trustees for the time being of the parcel of land comprised in the hereinbefore recited Crown grant to lease either the whole or any part or parts of the parcels of land described in the Schedule hereunder written to any person or persons for any term of years not exceeding fifty years in possession and not in reversion and either upon building leases or otherwise so as there be reserved in every such lease the best yearly rent that can be reasonably obtained for the same without any fine or foregift for the making thereof and so that there be contained in every such lease a condition of entry by the lessors for non-payment of rent or non-performance of covenants by the lessee within a reasonable time to be therein specified and so that the lessee do execute a counterpart and do thereby covenant for payment of the rent thereby reserved and be not by any express words therein made dispusnishable for waste. Provided that it shall be lawful for the lessors in any such lease if they shall think fit to reserve a small rent during the first ten years or any less portion of the term thereby created in consideration of the said lessee covenanting to erect buildings on the land demised and an increased rent or increased rents thereafter.

2. The said Honorable George Henry Cox and Robert Hoddle Application of proceeds. Driberg White or the Trustees for the time being of the said parcels of land described in the Schedule hereto shall stand possessed of the rents and profits and annual income arising therefrom upon such trusts and for such uses intents and purposes for the benefit of the parish of Saint John at Mudgee as the said Trustees and the Church-wardens for the time being of the Church of Saint John at Mudgee or a majority of them (with the consent of the Bishop for the time being of the Diocese of Bathurst) shall determine with power to apply the same or any part thereof in and towards the erection of a parsonage in connection with the said church upon any other portion of the land comprised in the before-recited Crown grant.

3. This Act may be cited as the "Saint John's Church Leasing Short title. Act of 1884."

THE SCHEDULE HEREINBEFORE REFERRED TO.

Firstly—All that piece or parcel of land situate in the town and parish of Mudgee county of Wellington and Colony of New South Wales. Commencing at the intersection of the north side of Market-street with the west side of Church-street and bounded thence on the east by the western side of Church-street being a line bearing northerly to Short-street on the north by the south side of Short-street being a line bearing west sixty-six feet on the west by a line bearing south to Market-street and on the south by the north side of Market-street being a line bearing east sixty-six feet to the point of commencement.

Secondly—All that parcel of land situate in the town and parish aforesaid Commencing at the intersection of the north side of Market-street with the eastern side of a lane separating the Church property from the Town Hall property and bounded thence on the south by the northern side of Market-street being a line bearing east ninety-nine feet on the east by a line bearing north to Short-street on the north by the south side of Short-street being a line bearing west ninety-nine feet to the lane aforesaid and on the west by the east side of that lane being a line bearing south to the point of commencement.