

An Act to enable the Trustees for the time being of a certain parcel of land situate in King and Macquarie Streets in the City of Sydney granted upon trust for the erection thereon of a clergyman's dwelling-house in connection with the Church of Saint James in the City of Sydney aforesaid to lease the whole or any portion of the said lands and to apply the rents and profits arising from such lease or leases for the maintenance and improvement of and in additions to the dwelling-house aforesaid and in payment of the rent or purchase money of a more suitable dwelling-house for the clergyman for the time being licensed to officiate in the said Church of Saint James and also if necessary in and towards the enlargement maintenance repair and improvement of the said Church of Saint James.

[14th July, 1887.]

SAINT JAMES'
PARSONAGE LAND
LEASING.

WHEREAS by a deed of grant bearing date the fourteenth day Preamble. of June one thousand eight hundred and forty-five Her Majesty Queen Victoria did grant unto the Right Reverend William Grant Broughton Bishop of Australia Alexander Macleay William Macpherson John Lamb and the Reverend Robert Allwood Trustees appointed under and by virtue of an Act passed in the eighth year of the reign of His late Majesty King William the Fourth 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 twenty-four perches be the same more or less situated in the county of Cumberland and parish of Saint James city of Sydney part of allotment number one of section number forty-one commencing at the south-east corner of allotment number thirty-six bounded on the south by one hundred and fifteen feet six inches of the north side of King-street bearing east three degrees north on the east by fifty-five feet five inches of the west side of Macquarie-street bearing north three degrees fifteen minutes west on the north by the southern boundary of Government land being a line bearing west four degrees thirty minutes south one hundred and twelve feet ten inches on the west by the eastern boundary of allotment thirty-six being a line bearing south thirty minutes west fifty-two feet nine inches to the south-east corner of allotment number thirty-six aforesaid (advertised as number eighty-four in the Government notice dated twenty-second April one thousand eight hundred and forty-five) with all the rights and appurtenances thereto belonging to hold the same unto the said Bishop of Australia or the Bishop of Australia for the time being Alexander Macleay William Macpherson John Lamb and the Reverend Robert

Saint James' Parsonage Land Leasing.

Robert Allwood 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 Church of the United Church of England and Ireland as by law established erected at Sydney and known as Saint James. And whereas a dwelling-house for the clergyman duly appointed to the said Church was erected on a portion of the land comprised in the said recited grant. And whereas the Most Reverend Alfred Barry Bishop of Sydney the Reverend Robert Allwood Henry Williams James Watson and William Day are the present Trustees of the said parcel of land and the same is now vested in them on the trusts declared in the hereinbefore recited grant. And whereas it has been found necessary to expend moneys in repairing improving and making additions to the said dwelling-house and it may become necessary or expedient to take upon lease or otherwise to acquire a more suitable dwelling-house for the clergyman for the time being licensed to officiate in the said Church of Saint James in some other situation. And whereas it is expedient that the said Trustees should have power to lease the whole or any portion of the said parcel of land comprised in the said deed of grant and to apply the rents and profits arising from the said parcel of land in manner 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:—

Trustees may grant leases.

1. It shall be lawful for the said Alfred Barry Robert Allwood Henry Williams James Watson and William Day or the survivors or survivor of them or other the Trustees for the time being of the parcel of land comprised in the hereinbefore recited Crown grant at any time and from time to time by deed to lease either the whole or any portion of the lands comprised in the Crown grant hereinbefore more particularly described to any person or persons for any term of years not exceeding fifty years to take effect in possession not in reversion and either upon building leases or otherwise so as there be reserved in every such lease the best rent that can reasonably be obtained for the same having regard to the nature of the covenants entered into by the lessee without any fine or foregift for the making thereof and so that there be contained in every such lease a condition for re-entry by the lessors for nonpayment of rent or nonperformance 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 dispuishable for waste.

Application of rents and profits.

2. The said Alfred Barry Robert Allwood Henry Williams James Watson and William Day or the survivors or survivor of them or other the Trustees for the time being of the said land shall stand possessed of the rents and profits arising from any lease under the powers herein contained upon trust to apply the same for all or any of the purposes hereinafter mentioned that is to say in and towards the payment of any expenses which have been or shall hereafter be incurred in maintaining repairing and improving and in making additions to the said parsonage at such times and in such manner as the said Trustees for the time being may deem advisable and in the payment of the rent or purchase money of a dwelling-house for the clergyman for the time being licensed to officiate in the Church of Saint James aforesaid upon some other site and in the enlargement maintenance repair and improvement of the said Church of Saint James.

Short title.

3. This Act may be referred to as the "Saint James' Parsonage Land Leasing Act."