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An Act to empower the trustees of certain lands situated in Elizabeth-street, Sydney, on which is erected the Christian Chapel, to sell such land, and to apply the proceeds for the benefit of the said trusts. [17th May, 1888.]

Preamble.

WHEREAS by a certain indenture, dated the twelfth day of August, one thousand eight hundred and sixty-eight, and made between Jonathan Stephens Perry of the one part, and Matthew Wood Green, Samuel Vial, George Morrison, and John Lockley and William Baker of the other part, after recitals, whereby it appeared that the said Matthew Wood Green, Samuel Vial, George Morrison, John Lockley, and William Baker had associated themselves, together with other persons, into a congregation of Christians for the worship of Almighty God, according to the teaching of the book known as the New Testament, and therein declared and set forth and that the lands therein mentioned and intended to be thereby conveyed had been purchased for the purpose of erecting thereon a church or chapel, wherein the persons known as Christians, and professing the doctrines taught in the New Testament, could worship God in a proper, orderly, and becoming manner, and that the said Matthew Wood Green, Samuel Vial, George Morrison, John Lockley, and William Baker had been nominated and elected as the first trustees of the said lands, and the said church or chapel to be erected thereon the land particularly described in the Schedule hereto were granted and released by the said Jonathan Stephens

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Stephens Perry unto and to the use of the said Matthew Wood Green, Samuel Vial, George Morrison, John Lockley, and William Baker, their heirs and assigns, upon trust to stand seised of the said lands and of the church or chapel to be erected thereupon in trust for all and every person and persons known as Christians and worshipping Almighty God therein, and who, in order to their identification and to prevent the misappropriation of the said land from the purposes herein described, do profess and believe the following statements as the prominent items of their faith, that is to say :—

Firstly—That the Bible alone, unaided by any human creed, is the only and all sufficient rule of Christian faith and practice.

Secondly—Who believe in the Messiahship of Jesus as the Son of the living God and the only Saviour of men, and that believers in Him are under the most solemn obligations to obey all His commands and regulate their practice both individually and collectively according to the teachings of Jesus and His Apostles.

Thirdly—Who reject all party designations as subversive of the headship of Christ and as destructive of the oneness of His body the Church, and hence acknowledge no name but those found in the New Testament as Christians Disciples of Christ, &c.

Fourthly—That the first Churches as set in order in the days of and by the Apostles of Christ are the only true models of a Church of Christ, and who recognize no statement as authoritative in reference to the order of those Churches but that found in the New Testament.

Fifthly—Who believe, that while it is their duty to believe all the facts and truths and obey all the commands found in the New Testament, they have entire liberty of judgment in all other matters ; And

Sixthly—Who believe that the Messiahship of Jesus as the Son of the living God is the only true basis of Christian union, that the one body, one spirit, one hope, one Lord, one faith, one baptism, and one God is the bond within which the Church should be united in peace, and that the bond of perfection to obtain which should be the object of all true believers in love to God and man.

And whereas a certain church or chapel was afterwards erected upon the said lands, and such church or chapel has been used for the purpose of worship by a congregation professing the doctrines set forth in the said trusts. And whereas the said Matthew Wood Green, George Morrison, and John Lockley are the now surviving trustees of the said indenture. And whereas the said church or chapel erected upon the said lands is inconvenient for the purposes aforesaid, and the said lands have greatly increased in value. And whereas the congregation worshipping in the said church or chapel is desirous that the said lands should be sold and the proceeds of the sale thereof applied towards the purchase of another site and the erection of another church or chapel thereon. And whereas it is impracticable to carry such desire into effect without the sanction of Parliament. 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 Matthew Wood Green, George Power to sell land. Morrison, and John Lockley, or the survivors or survivor of them, or other the trustee or trustees for the time being of the said indenture of the twelfth day of August, one thousand eight hundred and sixty-eight, including any trustee who may be appointed by the Supreme Court in its equitable jurisdiction in the place of any trustee who may

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retire from the trust or die or be resident out of the jurisdiction of the said Court, or may be unwilling or incapable to act in the trusts of the said indenture, hereinafter called the said trustees, to sell and dispose of all the lands mentioned and particularly described in the Schedule hereto by public auction or private contract, either in one or several lots and upon such terms and conditions as to title, time, and manner of payment and otherwise as they shall deem expedient, and for such prices as can be reasonably obtained for the same, with power to buy in at any sale and to rescind or vary any contract for sale and to resell without being responsible for any loss occasioned by such rescission and resale and to convey the said lands when sold to the purchaser or purchasers thereof, and the receipts in writing of the said trustees for the purchase money of the whole or any part of the said lands shall discharge the purchaser or purchasers thereof from any obligation to see to the application of the purchase money paid by him or them and from any liability in respect of the loss, nonapplication, or misapplication thereof.

Payment of purchase money.

2. It shall be lawful for the said trustees to allow any purchaser credit for the payment of such part not exceeding three-fourths of the purchase money payable by him and upon such terms as to interest and otherwise as the said trustees shall deem reasonable. Provided that the land in respect of the purchase of which credit shall be given shall remain unconveyed or shall be by a proper mortgage with full provisions of entry and sale and other usual and proper provisions be made a security for the payment of the balance of the purchase money in respect of which credit shall be so given.

Application of proceeds of sale.

3. The said trustees shall stand possessed of the proceeds of any sale under the powers hereinbefore contained, upon trust in the first place to pay the costs and expenses of and incidental to the procuring and passing of this Act, and in the next place to pay the costs and expenses of such sale and to apply the balance after making such payments in the purchase of other freehold lands in the city of Sydney, and in the erection thereon and in the repair and maintenance of a church or chapel to be used for the purposes within a period of five years after such sale, and the said trustees shall stand seised of the lands so purchased and the church or chapel to be erected thereon upon the same trusts as are expressed in the said indenture of the twelfth day of August, one thousand eight hundred and sixty-eight, and for no other trusts or purposes whatsoever.

Short title.

4. This Act may be cited as the "Christian Chapel Lands Sale Act of 1888."

SCHEDEULE.

All that parcel of land situate in Elizabeth-street, in the parish of Saint Lawrence, in the city of Sydney: Commencing on the building-line of Elizabeth-street, eleven feet southerly from the house now in the occupation of Mr. Jackson; and bounded on the north by a line easterly and parallel to said house thirty-six feet; on the north-west by a line bearing north-easterly forty-three feet eight inches; on the north-east by a line bearing south-easterly twenty-eight feet; on the south-east by a line bearing south-westerly twenty-seven feet; on the east by a line bearing southerly twenty-eight feet eight inches; on the south by a line bearing westerly and parallel to the line firstly described seventy feet to Elizabeth-street; on the west by the building-line of that street bearing northerly thirty-eight feet eight inches to the point of commencement, be the said several dimensions a little more or less. Preserving nevertheless unto the said Jonathan Stephens Perry, his heirs and assigns, his servants and tenants, workmen, and others, at all times hereafter the free and uninterrupted use and enjoyment of a right-of-way or passage three feet wide at the north-east corner of the said parcel of land hereinbefore described from the lane to other property of the said J. S. Perry adjoining. Together with all houses, outhouses, yards, gardens, ways, waters, watercourses, and all and singular the rights, easements, members, and appurtenances thereunto belonging, and the reversions, remunerations, rents, issues, and profits thereof.