

CORAKI
ROMAN CATHOLIC
CHURCH TRUSTEES
ENABLING.

An Act to enable the Right Reverend Jeremiah Joseph Doyle, Doctor of Divinity, Kyran Nolan, and Thomas Bermingham, trustees of certain allotments of land at Coraki, in the State of New South Wales, to sell the said lands, and to provide for the application and investment of the proceeds thereof, and for receipts and discharges of the same, and for other purposes in connection therewith.

[21st December, 1904.]

Preamble.

WHEREAS, by deed of grant bearing date the twenty-eighth day of April, one thousand eight hundred and eighty-four, under the hand of Sir Augustus William Frederick Spence Loftus, K.C.B., Governor of the Colony of New South Wales, and under the seal thereof, and registered as volume seven hundred and three, folio forty-one, Her Majesty Queen Victoria did, for the consideration in the said deed mentioned, grant unto the Right Reverend Elzear Torregiani, Benedict Mary McCabe, Kyran Nolan, and Denis McLean, and their heirs, all that piece or parcel of land described in the First Schedule hereto, to hold the same unto the said the Right Reverend Elzear Torregiani, Benedict Mary McCabe, Kyran Nolan, and Denis McLean, as joint tenants, their heirs and assigns for ever: And whereas the said allotment or parcel of land was granted for the purpose of erecting a church and other buildings thereon for the use of the Roman Catholic community of Coraki: And whereas all the said grantees except the said Kyran Nolan are now deceased, and no new or other trustees have been appointed in place of the said deceased trustees: And whereas by two several deeds of grant, both dated the twenty-first day of November, one thousand nine hundred and four, under the hand of His Excellency the Governor, registered as volume one thousand five hundred and seventy-one, folios one hundred and sixty-five and one hundred and sixty-six respectively, His Majesty the King did, for the consideration therein respectively set out, grant to the Right Reverend Jeremiah Joseph Doyle, Doctor of Divinity, the said Kyran Nolan, and one Thomas Bermingham all those pieces or parcels of land described in the Second and Third Schedules hereto respectively upon the trusts in the same deeds more particularly set forth: And whereas all the allotments of land hereinbefore mentioned have become and been proved to be unsuitable for the purposes

purposes

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purposes for which they were granted by the Crown: And whereas the said Right Reverend Jeremiah Joseph Doyle, Kyran Nolan, and Thomas Bermingham, as such trustees as aforesaid, are desirous of selling all the said allotments of land, and of applying the proceeds of such sale in or towards the following purposes, or any of them, that is to say, in or towards the purchase of lands for any purposes connected with the Roman Catholic Church, or any Roman Catholic school or charity within the town of Coraki, or adjacent thereto, or in or towards the erection thereon of buildings for the use of the Roman Catholic community, and as to any balance in hand after payment of and for such purchases or buildings, to such charitable purposes within the diocese as the said trustees may think fit: Be it therefore enacted by the King'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. From and after the passing of this Act it shall be lawful Trustees authorised to sell. for the said the Right Reverend Jeremiah Joseph Doyle, Kyran Nolan, and Thomas Bermingham, their heirs or assigns, or other the trustees or trustee for the time being of the lands hereinbefore described or referred to, to sell and dispose of the said lands by public auction or private contract, and either in one lot or in several lots, as they shall deem expedient, for such price or prices as can reasonably be obtained for the same, and to transfer and assure the same or any part or parts thereof when sold to the purchaser or purchasers thereof in fee-simple freed and discharged from all trusts affecting the same. And the receipt in writing of the said Right Reverend Jeremiah Joseph Doyle, Kyran Nolan, and Thomas Bermingham, their heirs, or assigns or other the trustees or trustee for the time being of the said land for the purchase money arising from such sale or sales shall be sufficient discharge to the purchaser or purchasers of the said land and shall exonerate him or them from seeing to the application of the said moneys and from all liability in respect of the misapplication or non-application thereof.

2. The said Right Reverend Jeremiah Joseph Doyle, Kyran Application of proceeds. Nolan, and Thomas Bermingham, their heirs or assigns, or other the trustees or trustee for the time being of the said lands, or of the proceeds of any sale or sales of the said lands or of any part thereof, shall stand possessed of the moneys arising from such sale or sales as aforesaid upon trust to apply the proceeds thereof in or towards any of the following purposes, that is to say, the purchase of lands for any purpose connected with the Roman Catholic Church, or any Roman Catholic school or charity within the town of Coraki or adjacent thereto, the erection thereon of a presbytery and buildings for the use of the Roman Catholic community, and, as to any balance in hand after payment of

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of and for such purchases or buildings, to such charitable purposes within the diocese of Lismore as the said trustees or trustee may think fit. And the receipts of any person or persons to whom any moneys shall be paid by the said Right Reverend Jeremiah Joseph Doyle, Kyran Nolan, and Thomas Bermingham, their heirs or assigns, or other the trustees or trustee for the time being of the proceeds of any sale of the said lands under the provisions of this Act, and the declaration of the said trustees as to the dispensation in charity of any moneys received under the provisions of this Act shall be valid and complete discharges to the said trustees, their heirs and assigns, or other the said trustees or trustee for the time being for such moneys.

**Power to deduct cost
of Act.**

3. Before applying the proceeds of any sale of lands made under the provisions of the preceding sections, the said trustees shall have power to deduct therefrom the costs and expenses of and incidental to the passing of this Act.

Short title.

4. This Act may be cited as the "Coraki Roman Catholic Church Trustees Enabling Act of 1904."

FIRST SCHEDULE.

All that piece or parcel of land in the State of New South Wales, containing by admeasurement twenty-six perches and three-fourths of a perch, be the same more or less, situated in the county of Richmond, parish of West Coraki, and village of Coraki, being allotment number eleven of section number twenty-five: Commencing on the north-eastern side of Bridge-street, at the southern corner of allotment seven; and bounded thence on the south-west by that street south-easterly sixty-seven links; on the south-east by the north-western boundary line of allotment six, north-easterly at right angles to Bridge-street two chains fifty links to a lane; on the north-east by that lane north-westerly parallel with Bridge-street sixty-seven links; and on the north-west by the south-eastern boundary line of allotment seven aforesaid, south-westerly at right angles to Bridge-street two chains fifty links, to the point of commencement.

SECOND SCHEDULE.

All that piece or parcel of land in the said State, containing by admeasurement one acre, be the same more or less, situated in the county of Richmond, and the parish of West Coraki, near the right bank of the Richmond River, village of Coraki, allotment five of section twenty-five: Commencing on the north-western side of Grenfell-street, at a point where it meets the south-western side of Richmond-terrace; and bounded thence on the south-east by that street, bearing south fifty-three degrees west two chains fifty-four links to a lane thirty links wide; on the south-west by that lane, dividing it from allotments six, eleven, and seven, bearing north twenty-seven degrees thirty minutes west four chains twenty-one links; on the north-west by a line bearing north sixty-two degrees thirty minutes east two chains fifty links to Richmond-terrace aforesaid; and on the north-east by Richmond-terrace bearing south twenty-seven degrees thirty minutes east three chains eighty links, to the point of commencement.

THIRD

Wellington Cattle Sale-yards.

THIRD SCHEDULE.

All that piece or parcel of land in the said State, containing by admeasurement two roods, be the same more or less, situated in the county of Richmond, and parish of West Coraki, village of Coraki, allotment six of section twenty-five: Commencing on the north-western side of Grenfell-street, at a point where it meets the north-eastern side of Bridge-street; and bounded thence on the south-east by Grenfell-street bearing north fifty-three degrees east two chains fifty-four links to a lane thirty links wide; on the north-east by that lane, dividing it from allotment five, bearing north twenty-seven degrees thirty minutes west one chain eighty links; on the north-west by the south-eastern boundary of allotment eleven bearing south sixty-two degrees thirty minutes west two chains fifty links to Bridge-street aforesaid; and on the south-west by Bridge-street bearing south twenty-seven degrees thirty minutes east two chains twenty-one links, to the point of commencement.
