

DIOCESE OF
 GOULBURN CHURCH
 LAND SALE.

An Act to enable the Right Reverend the Lord Bishop of Goulburn, as trustee of certain parcels of land situate in the county of Argyle, held upon certain trusts connected with the Church of England in the Diocese of Goulburn, to sell the said lands, to provide for the application of the proceeds thereof, and for other purposes in connection therewith. [30th October, 1905.]

Preamble.

WHEREAS, by indenture dated the thirtieth June, one thousand eight hundred and sixty-five, made between the Honorable John Campbell and William Robert Campbell of the one part, and the Right Reverend the Lord Bishop of Goulburn of the other part, after reciting, inter alia, that Her Majesty Queen Victoria did, by certain Letters Patent under the Great Seal of the United Kingdom of Great Britain and Ireland, bearing date the fourteenth day of March, one thousand eight hundred and sixty-three, found, ordain, and constitute all those portions of the Colony of New South Wales mentioned in the said Letters Patent to be a Bishop's See and Diocese, and to be called the Bishopric of Goulburn, and did thereby name and appoint the Right Reverend Mesae Thomas, Doctor of Divinity, to be the first Bishop thereof, it was witnessed that, in pursuance of a promise and agreement more particularly recited in the said deed, the said John Campbell and William Robert Campbell, in exercise and execution of every power whatsoever in anywise enabling them in this behalf, did direct, limit, and appoint and also grant and release to the said Lord Bishop of Goulburn and his successors, the several

parcels

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parcels of land mentioned and described in the First Schedule hereunder written, together with all buildings and appurtenances to the said land respectively belonging or appertaining, to hold the said lands and hereditaments unto and to the use of the said Bishop of Goulburn and his successors for the purposes of the endowment of the said Bishop's See and Diocese for ever. And whereas an indenture dated the thirty-first day of March, one thousand eight hundred and sixty-six, made between Joseph Bull of the one part and the Right Reverend the Lord Bishop of Goulburn of the other part, after reciting that in pursuance of a promise and agreement made by the said Joseph Bull some time previously to convey the lands and hereditaments mentioned in the said deed to the said Bishop of Goulburn and his successors as and by way of an endowment for the See or Diocese of Goulburn, it was witnessed that, in pursuance of the promise and of the agreement aforesaid, the said Joseph Bull did by the said indenture grant, release, and assure unto the said Bishop of Goulburn and his successors the land mentioned in the Second Schedule hereunder written, together with all rights, members, and appurtenances thereunto belonging; to hold the same unto and to the use of the said Lord Bishop of Goulburn and his successors for the purposes of the endowment of the said Bishop's See and Diocese for ever: And whereas, by a resolution of the Synod of the Diocese of Goulburn, passed by the unanimous vote of the clerical and lay members assembled in Synod at Goulburn, on the twenty-ninth day of April, one thousand nine hundred and four, it was resolved—"That, in the opinion of the Synod, it is desirable that the Lord Bishop of Goulburn should take whatever step may be necessary for the purpose of obtaining legal sanction and authority to sell and dispose of the lands known as 'The Taradale Estate,' and also one hundred acres or thereabouts of land at Collector, such lands being at present held by the said Bishop in trust for the See Endowment Fund of the Diocese": And whereas for divers good causes it is considered expedient that the said lands and hereditaments described in the said several Schedules hereto, should be sold, and that the proceeds to arise from the sale of the said land should be applied in or towards the purposes hereinafter appearing: And whereas the said several parcels of land described in the said Schedule are now duly vested in the Right Reverend Christopher Barlow, as the present Lord Bishop of Goulburn, as sole trustee thereof: 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 for the said Bishop of Goulburn, as such trustee as aforesaid, or his successors or other trustees or trustee for the time being of the said lands and

Trustees authorised
to sell.

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and hereditaments described in the said several Schedules hereto, to sell and dispose of the said lands and hereditaments described in the said several Schedules hereto by public auction or private contract, and either in one lot or several lots, as he shall deem expedient, and for such price or prices as can reasonably be obtained for the same, and upon such terms and conditions of sale as the said Bishop or other the trustees or trustee for the time being may deem expedient, and to buy in the said lands and hereditaments, or any part or parts thereof, at any auction sale, or to rescind or vary the terms of any contract for the sale of the said lands and hereditaments, or any part or parts thereof, and when sold to convey and assure the same, or any part or parts thereof, to the purchaser or purchasers thereof in fee-simple, freed and discharged from all trusts affecting the same, and to receive the purchase money thereof. And the receipt in writing of the said Bishop, his or other the trustees or trustee for the time being of the said lands and hereditaments, for the purchase money arising from such sale or sales, shall be effectual, absolute, and sufficient discharge to the purchaser or purchasers of the said lands and hereditaments, or any part or parts thereof, 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.

Application of
proceeds.

2. The said Bishop, as such trustee, or his successor or the trustee for the time being, shall stand possessed of the moneys arising from any sale or sales of the said lands and hereditaments, or of any part thereof, after payment thereof of all cost, charges, and expenses of and incidental to the passing of this Bill, upon trust, at his discretion, to invest the said moneys at interest, either on real securities, or in debentures or stock of the Government of New South Wales, or in the purchase of other lands and hereditaments in New South Wales as the said Bishop or the trustee for the time being shall think fit, and upon further trust to pay the income from time to time to be derived from the said investments to the Bishop of Goulburn and his successors in like manner as other moneys or interest received in respect of the Bishopric Endowment Fund of the said Diocese are paid and applied.

Purchaser allowed
time for payment of
purchase money.

3. It shall be lawful for the said Bishop of Goulburn, as such sole trustee as aforesaid, or other the Bishop or trustee for the time being, to allow to any purchaser or purchasers of the said lands, or any part or parts thereof, time for payment of his or her purchase money, or any part thereof, for any number of years not exceeding seven, upon such terms as to interest or otherwise as to the said Bishop for the time being may be deemed proper: Provided that any moneys, for the payment of which time is given as aforesaid, shall be secured by duly registered mortgage over the property in respect of which the said balance or purchase money remains unpaid, and the said money when paid

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paid by the purchaser or purchasers thereof, shall form part of the Endowment Fund of the Diocese of Goulburn, and shall be invested, and the interest applied in manner hereinbefore mentioned.

4. This Act may be cited as the “Diocese of Goulburn Church ^{Short title.} Land Sale Act of 1905.”

SCHEDULES.

FIRST SCHEDULE.

ALL that parcel of land containing six hundred and forty acres, more or less, situated in the county of Argyle, near Tarraga Lagoon, in the said State: Bounded on the south by a line east eighty chains, commencing at the south-east corner of Reverend Thomas Reddall's eight hundred and eighty acres grant; on the east by a continuation of the west boundary of E. J. Keith's primary grant north eighty chains; on the north by a line west eighty chains; and on the west by Reverend Thomas Reddall's grant south eighty chains.

Also all that parcel of land, situate at Tarraga Lagoon aforesaid, containing by admeasurement one thousand one hundred and ninety-five acres, more or less: Commencing at Tarraga Lagoon, fifty-seven chains west on the north-east corner of Keith's one thousand two hundred and eighty acres; and bounded on the south by that farm and unlocated land, being a line east one hundred and fifty-four chains; on the east by Burns' purchase of six hundred and forty acres, being a line north eighty chains; on the north by a line west one hundred and sixty chains; on part of the west by a line south ten chains to Tarraga Lagoon; and on the remainder of the west by that Lagoon to fifty-seven chains west of the north east corner of Keith's one thousand two hundred and eighty acres aforesaid.

And also all that piece or parcel of land containing by admeasurement six hundred and forty acres, more or less, situate in the county of Argyle, near Tarraga Lagoon aforesaid: Commencing at the south-west corner of J. Murchison's purchase of six hundred and forty acres; and bounded on the north by that land, being a line east eighty chains; on the east by part of Keith's one thousand two hundred and eighty acres, being a line south eighty chains; on the south by a line west eighty chains; and on the west by a line north eighty chains to the south-west corner of J. Murchison's purchase of six hundred and forty acres aforesaid.

SECOND SCHEDULE.

All that piece or parcel of land, situate at Lake George, in the county of Argyle, and State aforesaid, containing by admeasurement one hundred and two acres two roods and thirty one perches, being the land described in an indenture of the third of November, one thousand eight hundred and forty one, as a consolidation of lots twelve and thirteen of the farms or portions of land sold by auction as therein mentioned; and bounded on the north by lot eleven of the said farms, by a line forty-nine chains thirty links; on the east in part by a reserved road one chain wide, by a line of nine chains ninety-one links, and by the ponds dividing the farm or portion of land numbered twelve from the Old Collector village; on the west by another reserved road one chain wide, by a line of twenty chains; and on the south by lots fourteen, fifteen, and seventeen of the said farms, by a line from one of the said roads to the other of the said roads of fifty-three chains forty-five links, being lots twelve and thirteen of farms caused by Terence Aubrey Murray to be put up for auction at Goulburn on the fourth day of October, one thousand eight hundred and forty one.