

Legislative Council.

36^o VICTORIA, 1872.

A BILL

To make provision for the sale and disposition and for the application of the proceeds of certain lands and hereditaments in the City of Sydney held upon trusts for a Jewish Synagogue and School and for the appointment of Trustees for such purposes and to declare the trusts of lands and premises appropriated for a Jewish Synagogue and School.

(As amended and agreed to in Select Committee.)

WHEREAS by a deed of grant bearing date the seventh day of ^{Preamble.} May one thousand eight hundred and fifty under the hand of His Excellency Sir Charles Augustus Fitz Roy Knight Captain General and Governor-in-Chief of the Colony of New South Wales and the seal
5 of the said Colony Her Majesty Queen Victoria did thereby grant unto Isaac Levey Moses Joseph Lawrence Spyer and Elias Moses their heirs and assigns All that piece or parcel of land mentioned and described in Schedule A hereunder upon trust for the erection thereon of a Schoolhouse for the use of the members of the Jewish faith and
10 for no other purposes whatsoever And whereas by an indenture bearing date the first day of December one thousand eight hundred and forty-two made between Moses Joseph of the first part Lewis Barnett a trustee for the purpose thereafter mentioned of the second part and the said Moses Joseph Isaac Simmons John Isaacs Israel
15 Solomon and Abraham Elias thereafter designated trustees of the third part reciting that the said Isaac Simmons John Isaacs Israel Solomon and Abraham Elias for and on behalf of themselves and of all other the members of the Jewish persuasion in the Colony aforesaid with and out of certain moneys placed in their hands for that purpose
20 by various members of the said Jewish persuasion had contracted with
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NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

the said Moses Joseph for the purchase of the land thereafter described or appointed and released The said Moses Joseph thereby appointed and also granted bargained sold released and confirmed all those several and respective parcels of land and hereditaments mentioned and described in Schedule B hereunder unto the said Lewis Barnett and his heirs to the use of the said Trustees their heirs and assigns for ever but nevertheless upon the trusts and for the ends intents and purposes and with under and subject to the powers provisions declarations and agreements thereafter expressed and declared concerning the same that is to say upon trust as a site for the erection of a building or Synagogue thereon for the performance of public worship according to the ritual of the Jewish persuasion and for such other purposes matters and things connected therewith as are usual and customary and when and so soon as such building and other erections appurtenant thereto should have been made thereon then in trust for themselves the said Trustees and all other the members of the Jewish persuasion in the Colony of New South Wales aforesaid as a Synagogue for the performance of public worship according to the rites of the Jewish persuasion for ever And whereas by a deed of grant bearing date the thirtieth day of March one thousand eight hundred and forty under the hand of His Excellency Sir George Gipps Knight Captain General and Governor-in-Chief of the Colony of New South Wales and the seal of the said Colony Her Majesty Queen Victoria did thereby grant unto Simon Lear of Macquarie-street Sydney his heirs and assigns all that parcel of land therein mentioned and described in Schedule C hereunder And whereas by an indenture bearing date the seventeenth day of May one thousand eight hundred and forty-two made between the said Simon Lear of the one part and Jean Malcolm of the other part the parcel of land comprised in the lastly hereinbefore recited deed of grant with the appurtenances were granted and released unto and to the use of the said Jean Malcolm her heirs and assigns subject to a proviso for redemption contained in the said reciting indenture upon payment on the seventeenth day of May one thousand eight hundred and forty-three of the sum of three hundred pounds with interest thereon as therein mentioned And the now reciting indenture contains a proviso enabling the said Jean Malcolm her heirs executors administrators or assigns upon default in payment of the principal money or interest thereby secured to sell and dispose of the land and hereditaments hereby assured or any part thereof by public auction or private contract as she or they should think fit And whereas the said Simon Lear by his last will and testament bearing date the seventeenth day of September one thousand eight hundred and forty-seven devised unto Abraham Polack James Simmons and the said Moses Joseph and their heirs (amongst other hereditaments) All that the said parcel of land mentioned and described in the Schedule C hereunder upon trust for the benefit of his wife Elizabeth Lear for life and after her death as to the said land mentioned and described in Schedule C in trust for the Trustees or Trustee for the time being of the Jewish Synagogue in Sydney for the maintenance of the said Synagogue and the public worship therein And whereas the said Simon Lear died on or about the eighteenth day of September one thousand eight hundred and forty-seven without having revoked or altered his said will and the said Elizabeth Lear the wife of the said Simon Lear died in or about the month of January one thousand eight hundred and fifty And whereas by another indenture bearing date the twenty-first day of May one thousand eight hundred and forty-nine made between the said Jean Malcolm of the one part and Isaac Levey and Elias Moses of the other part reciting that there was then due and owing to the said Jean Malcolm under and by virtue of the hereinbefore recited indenture

indenture of mortgage the sum of two hundred and fifty-two pounds ten shillings for principal and interest in consideration of the sum of two hundred and fifty-two pounds ten shillings expressed to have been paid by the said Isaac Levey and Elias Moses to the said Jean Malcolm all and singular the lands and hereditaments comprised in and assured by the hereinbefore recited indenture of mortgage were granted and released unto and to the use of the said Isaac Levey and Elias Moses their heirs and assigns subject to the equity of redemption subsisting therein And whereas the moneys expressed to have been paid in the lastly-hereinbefore recited indenture by the said Isaac Levey and Elias Moses were moneys paid by them belonging to the Sydney Synagogue York-street or contributed by the members thereof And whereas by another indenture bearing date the eleventh day of January one thousand eight hundred and fifty-one made between the said Isaac Levey and Elias Moses of the one part and John Williams of the other part a portion of the land and hereditaments comprised in the lastly-hereinbefore recited deed of grant were in exercise of the power of sale contained in the hereinbefore recited indenture of mortgage granted and released unto and to the use of the said John Williams his heirs and assigns leaving the premises comprised in the Schedule C hereunder subject to the trust declared by the will of the said Simon Lear deceased And whereas by a memorandum of transfer under the Real Property Act bearing date the twenty-eighth day of February one thousand eight hundred and seventy-one and numbered five thousand eight hundred and twenty-two under the hands of James Tabar and George Tabar in consideration of the sum of two thousand pounds paid to them by John Solomon Moses Moss and David Lawrence Levy the piece or parcel of land and hereditaments mentioned and described in the Schedule D hereunder situate in Elizabeth and Castlereagh Streets Sydney were transferred to the said John Solomon Moses Moss and David Lawrence Levy their heirs and assigns and a certificate of title bearing date the twenty-first day of March one thousand eight hundred and seventy-one registered volume one hundred and seventeen folio seventy-seven has been issued under the Real Property Act to the said John Solomon Moses Moss and David Lawrence Levy as the registered proprietors in joint tenancy of the said land and hereditaments And whereas the purchase money of the said lands and hereditaments has been paid by the said John Solomon Moses Moss and David Lawrence Levy partly with certain trust moneys being a sum voted by the Legislative Assembly of New South Wales on the twelfth day of April one thousand eight hundred and seventy as a compensation to the Jewish community for certain lands and hereditaments in Kent-street Sydney some years since appropriated by the Government of New South Wales as a site for the erection thereon of a Synagogue but subsequently otherwise granted by the Crown and partly out of moneys contributed by members of the Jewish community towards the erection of a new Synagogue building or buildings and the said land and hereditaments mentioned and described in the Schedule D hereunder were so purchased and transferred to the said John Solomon Moses Moss and David Lawrence Levy as Trustees for the Jewish community in the Colony of New South Wales of the said land and hereditaments for the erection of a new Synagogue building or buildings thereon And the nomination of the said John Solomon Moses Moss and David Lawrence Levy was confirmed and their appointment as such Trustees determined by a resolution adopted at a public meeting of the Jewish community held at the Masonic Hall York-street Sydney on the thirteenth day of March one thousand eight hundred and seventy-one at which meeting the promoters of this Bill were also appointed a committee with power to add to their number
for

for carrying out a resolution adopted at such meeting for the erection of a place of worship upon the said land and hereditaments mentioned and described in the said Schedule D hereunder And whereas Isaac Levey one of the Trustees named in the hereinbefore recited deed of grant of the said land mentioned and described in the said Schedule A hereunder died on or about the thirtieth day of May one thousand eight hundred and sixty and Moses Joseph and Lawrence Spyer other Trustees named in the said deed of grant have been for some time past and now are permanently resident out of the Colony of New South Wales and the said Elias Moses the other Trustee named in the said deed of grant has long been resident out of the Colony or distant from Sydney aforesaid And whereas the said Moses Joseph and Israel Solomon two of the said Trustees of the said parcels of land mentioned and described in the said Schedule B hereunder have been for some time past and now are permanently resident out of the said Colony And the said Isaac Simmons another of the said Trustees never accepted or acted in the trusts of the said indenture of the first day of December one thousand eight hundred and forty-two And the said John Isaacs another of the said Trustees is willing to be discharged from the trusts of the said indenture And the said Abraham Elias the other Trustee named therein died on or about the eighteenth day of August one thousand eight hundred and fifty-six and there has been no appointment of any new Trustee or Trustees under the power contained in the said indenture And whereas the said land mentioned and described in the said Schedule A hereunder is ineligible as a site for a School-house for members of the Jewish faith and it would be for the benefit and advantage of all members of the Jewish faith in the Colony of New South Wales that the said land should be sold and the proceeds applied in or towards procuring suitable School premises or that the same should be exchanged for other more suitable premises And whereas the said parcels of land mentioned and described in the Schedule B hereunder and the buildings erected thereon are now insufficient in accommodation for the purposes of a Synagogue and members of the Jewish community in the City of Sydney have recently contributed largely and subscribed funds for the erection of a new Synagogue building or buildings on the site of land mentioned and described in the Schedule D hereunder and it has been determined to proceed forthwith with the erection thereof And whereas it is desirable and expedient and it would be for the benefit and advantage of the members of the Jewish community in the said Colony that the said parcels of land and hereditaments respectively mentioned and described in the said Schedules B and C and the buildings and erections on the said hereditaments mentioned in the said Schedule B should be disposed of and that the proceeds or value thereof should be applied in or towards the erection of the said new Synagogue building or buildings but there is no power under the hereinbefore recited indenture of the first day of December one thousand eight hundred and forty-two to dispose of the said properties And whereas it may be found more advantageous to exchange and it would be for the benefit of all members of the Jewish faith in the Colony of New South Wales that the Trustees hereinafter mentioned should have the power of exchanging the said parcel of land mentioned and described in the said Schedule A hereunder for the said parcels of land mentioned and described in the said Schedule B hereunder and the buildings and erections thereon in order that the said lastly mentioned premises might thenceforth be held for a Jewish School for the members of the Jewish faith in the said Colony for which purpose such lastly mentioned premises are specially adapted and should also have the power in the event of making such exchange of selling the said parcel of land mentioned and described

described in the said Schedule A hereunder and of applying the moneys to arise from any such sale in or towards the erection of the said new Synagogue building or buildings And whereas it is expedient that the vacancies in the trusts of the said several hereditaments should be
 5 filled up and other Trustees appointed in lieu of those absent from the said Colony and residing at a distance from Sydney as aforesaid and that for the purposes of carrying out all the said objects hereinbefore mentioned it is expedient to appoint one set of Trustees for all the said several parcels of land and premises mentioned and described in the
 10 said several Schedules A B and C hereunder And whereas it is expedient to declare fully and effectually the trusts upon which any Jewish School-house and School premises should be held And to declare fully and effectually the trusts upon which the Trustees hereinafter mentioned should hold the said land and hereditaments
 15 mentioned and described in the Schedule D hereunder and the building or buildings to be erected thereon And to declare the trusts of all future properties given devised or bequeathed upon trusts not full expressed to or for the maintenance of the said new Synagogue And also to make provision for filling up all future vacancies in the offices
 20 of Trustees of all and every the said properties 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:—

25 1. John Solomon of Alberto Terrace Sydney Esquire Moses Moss of Wynyard-lane Sydney Merchant and David Lawrence Levy of Pitt-street Sydney Solicitor shall henceforth be Trustees of all the several parcels of land mentioned and described in the said several Schedules A B and C hereunder and of all buildings erections
 30 and appurtenances thereon and thereunto appertaining in lieu of the several persons respectively named in the hereinbefore recited deed of grant indenture and will respectively and the said several lands hereditaments and premises shall henceforth be vested in the said John Solomon Moses Moss and David Lawrence Levy their heirs and
 35 assigns for an absolute estate of inheritance in fee simple upon the trusts and to and for the ends intents and purposes and with under and subject to the powers and provisos herein expressed and contained.

2. It shall and may be lawful for the said Trustees at any time
 40 after the passing of this Act to sell and dispose of all and singular the hereinbefore mentioned lands and premises or any or either of them by public auction or private contract either in one or several lots as the said Trustees shall deem most expedient for such price or prices as can be reasonably had or obtained for the same and upon such terms and conditions of sale as they the said Trustees shall deem
 45 expedient with power to buy in the said lands hereditaments and premises or any or either of them or any part or parts thereof at any auction sale or to rescind or vary the terms of any contract for sale without being responsible for any loss to be occasioned thereby and when sold to convey the said lands hereditaments and premises or any
 50 or either of them or any part or parts thereof to the purchaser or purchasers of the same in fee simple freed and discharged from the trusts affecting the said lands hereditaments and premises sold or disposed of And the receipt or receipts in writing of the said Trustees shall absolutely discharge the purchaser or purchasers of the lands
 55 hereditaments and premises sold for the purchase money payable by him her or them respectively and shall exonerate him her or them from seeing to the application of the purchase money for the same and from liability for the misapplication or non-application thereof.

Power to sell on credit.

3. It shall and may be lawful for the said Trustees to allow any purchaser or purchasers of all or any of the said lands hereditaments and premises hereinbefore described or any part or parts thereof credit for any period not exceeding **three years** for the payment of the whole or part of his her or their purchase money upon such terms as to interest or otherwise as the said Trustees may deem reasonable and proper provided that such lands hereditaments and premises shall remain unconveyed or shall be rendered a security by charge mortgage or otherwise for so much of the purchase money thereof as shall remain unpaid together with interest thereon until payment thereof the lien of the said Trustees as vendors continuing notwithstanding any arrangement as to or security for the purchase money or any part thereof remaining unpaid. 5 10

Application of proceeds of sale.

4. The said Trustees shall stand possessed of the net moneys to arise from any sale of the said lands hereditaments and premises mentioned and described in the said Schedule B hereunder or any part thereof (in the event of the same premises or any part thereof being sold) and also of the net moneys to arise from the sale of the said parcel of land hereditaments and premises mentioned and described in the said Schedule C hereunder upon trust to apply the same at such time or times as they shall think fit in or towards the erection of a new Synagogue building or buildings subject in all respects to the direction and control of the said committee appointed at the said public meeting held on the thirteenth day of March one thousand eight hundred and seventy-one And in the event of the said parcel of land hereditaments and premises mentioned and described in the said Schedule B hereunder and the said buildings thereon not being exchanged and substituted for the said parcel of land and hereditaments mentioned and described in the Schedule A hereunder then the said Trustees shall stand possessed of the net moneys to arise from any sale of the said land and hereditaments mentioned in the said Schedule A or any part thereof upon trust to apply the same at such time or times as they shall deem expedient in or towards the purchase of other lands and hereditaments with or without buildings thereon as a site for or for the purposes of a school-house for members of the Jewish faith in the City of Sydney and also in or towards the erection upon any land so purchased of a school-house or also in the alteration or adaptation to the purposes of such school-house of any buildings upon any land so purchased or if required by the said committee **shall apply such proceeds of sale** in providing suitable school-rooms or premises in connection with a new Synagogue building. 20 25 30 35 40

Power of exchange.

5. If the said Trustees shall be required so to do by the said Committee it shall be lawful for the said Trustees their heirs and assigns to exchange and substitute the said parcels of land hereditaments and premises mentioned and described in the said Schedule B and the buildings and erections thereon for the said parcel of land and hereditaments mentioned and described in the said Schedule A and in the event of such exchange the said parcels of land hereditaments and premises mentioned and described in the said Schedule B shall be applied and used for the purposes of a School-house or School premises for members of the Jewish faith in the said City of Sydney. 45 50

Trust of School premises.

6. Any such School-house and premises whether purchased or provided under and according to the provisions of the fourth section of this Act or established on the said parcels of land hereditaments and premises mentioned and described in the said Schedule B shall be held in trust for the purposes of a Jewish School subject to the immediate control of the duly constituted Local Board of the Jewish Denominational School in Sydney or in the District of the City of Sydney within which the said premises may be situate and subject to the 55

the regulations for the time being of the said Board in accordance with the Public Schools Act thirtieth Victoria number twenty-two and subject in all respects to the regulations of the Council of Education appointed under the said Act And in the event of there being at any
5 time no certified Jewish Denominational School in Sydney then such school premises shall be held in trust for the purposes of a Jewish School subject to any regulations which may from time to time be made by subscribers of the Jewish faith in support thereof.

7. In the event of the said parcels of land and hereditaments
10 mentioned and described in the said Schedule B and the buildings and erections thereon being exchanged and substituted for the said parcel of land mentioned and described in the said Schedule A the said Trustees shall stand possessed of the net moneys to arise from any
15 and every sale or sales of the said lands hereditaments and premises mentioned and described in the said Schedule A upon trust to apply the same in or towards the erection of a new Synagogue building or buildings in manner and subject as aforesaid.

Application of proceeds of land on Church Hill in the event of exchange.

8. The said land and hereditaments mentioned and described in
20 the Schedule D hereunder shall be held by the said Trustees upon trust as a site for the erection thereon of a new Synagogue building or buildings according to the directions of the Committee appointed at
constituted by the said public meeting held on the thirteenth day of March one thousand eight hundred and seventy-one And from and
25 after the erection of such building or buildings and the consecration of the said new Synagogue the said land hereditaments and premises shall subject to the provisions of section six of this Act as to any School premises provided in connection therewith be held upon trust as a Synagogue for the members of the Jewish community of the Colony of
30 New South Wales and for the performance of public worship therein by members of the Jewish faith subject to the direction and control and subject to the laws and regulations made from time to time by the Board of Management for the time-being of the said new Synagogue to be elected after the first election hereinafter provided for by the
35 seatholders thereof in accordance with such laws and regulations the first Board of Management of the said new Synagogue for the current Jewish year to consist of a President Treasurer and eight Committee men elected by ballot and by a majority of votes by the subscribers of the Jewish faith to the said fund taken personally or
40 by proxy at a public meeting to be convened three months prior to the consecration of the said Synagogue by fourteen days previous notice published in two Sydney newspapers such election to be made from the persons nominated for election to such Board of Management at a public meeting of the said subscribers to be held one month
45 previous to the said meeting for election and to be convened by seven days previous notice in two Sydney newspapers and in taking the votes at such meeting for election every individual subscriber to the amount of one pound shall be entitled to a vote and every subscriber contributing to the amount of ten pounds shall be entitled to two
50 votes and also to a further vote for every additional ten pounds contributed.

Trusts of land in Elizabeth and Castlereagh streets Sydney and of new Synagogue buildings.

9. All properties real and personal hereafter given devised or bequeathed to or for the said new Synagogue shall unless there be the expression of any contrary intention in the deed of gift will or other instrument giving devising or bequeathing the same or any provision
55 therein inconsistent herewith be conveyed assigned or otherwise assured to the said Trustees and unless otherwise provided for by the said deed of gift will or other instrument shall be applied towards the erection of or the support or maintenance of the said new Synagogue according or subject to the direction of the said Board of Management

Trust of future properties given or bequeathed to Synagogue with power of sale.

Management and subject to any provisions in any deed will or instrument conveying assigning devising or bequeathing the same and so far as shall not be inconsistent with any such deed will or instrument it shall and may be lawful for the said Trustees at any time when required so to do by the said Committee and after the consecration of the said new Synagogue when required to do so by the Board of Management for the time-being of the said Synagogue elected as aforesaid to sell and dispose in manner hereinbefore mentioned of any such real or personal property or of any part or parts thereof with power to convey assign or otherwise assure the same when sold to the purchaser or purchasers thereof with the like full and discretionary powers upon the sale or sales of any such property as are hereby conferred as to the lands and hereditaments described in the Schedules A B and C hereunder with the like power to give receipts to any purchaser or purchasers which shall in like manner discharge him her or them for the purchase money payable and shall exonerate him her or them from seeing to the application or from liability for the misapplication or non-application thereof.

Appointment from time to time of new Trustees.

10. Whenever and so often as any one or more of the said Trustees or any Trustee appointed under the provisions of this Act shall die or resign his office of Trustee or shall go to reside out of the Colony of New South Wales or reside one hundred miles distant from Sydney for a period of twelve months it shall be lawful for the surviving or other continuing Trustees or Trustee or for the last retiring Trustee or for the acting executors or administrators of the last surviving or continuing Trustee by instrument in writing to appoint any person or persons nominated for the purpose by the said Committee and after the consecration of the said new Synagogue by the Board of Management for the time being of the said Synagogue to be a new Trustee or new Trustees in the place of the Trustee or Trustees so dying resigning going to reside out of the Colony or residing so distant from Sydney as aforesaid and so often as any new Trustee or Trustees shall be so appointed as aforesaid the trust premises which for the time-being shall be vested in the surviving or continuing Trustees or Trustee or the last retiring Trustee or the heirs executors or administrators of any such surviving or continuing Trustee shall by virtue of such appointment and without other assurance in the law become and be conveyed and transferred so that the same shall thereupon become and be legally and effectually vested in such new Trustee or Trustees either solely or jointly with the surviving or continuing Trustees or Trustee as the case may require and every new Trustee to be appointed as aforesaid shall have the like powers authorities and discretions and shall and may in all respects act as if he had been originally appointed a Trustee by this Act.

Construction of word "Trustee."

11. Wherever the expression "the said Trustees" occurs or is used in this Act such expression shall be construed and taken to mean and include any Trustees of the said trust premises whether original or substituted.

Title of Act.

12. This Act may be cited as the "Jewish Synagogue and Schools Act of 1872."

 SCHEDULES.

SCHEDULE A.

5 All that piece or parcel of land in the Colony of New South Wales containing by admeasurement sixteen and one quarter perches be the same more or less situated in the county of Cumberland parish of St. Philip and city of Sydney being allotment number twenty-five and part of number twenty-six on Church Hill commencing at the intersection of Charlotte-place with Princes-street and bounded on the south by Charlotte-place bearing west fifteen degrees south sixty-seven feet three inches on the west by a lane bearing east fifteen degrees north fifteen degrees west fifty-nine feet on the north by a line bearing east fifteen degrees north eighty-six feet three inches and on the east by the building-line of Princes-street sixty-two feet southerly to the commencing corner.

 SCHEDULE B.

15 All that parcel of land situate in York-street in the parish of St. Andrews in the city of Sydney being lot C Commencing at the building-line of that street and bounded on the south by lot B bearing westerly ninety-six feet six inches to Market-row on the west by Market-row bearing northerly eighteen feet on the north by lot D being a line bearing easterly ninety-four feet eight inches to the building-line in York-street on the east by the said building-line in York-street bearing about south to the north-east corner of lot B eighteen feet which corner is the point of commencement And also all that 20 parcel of land situate in York-street aforesaid being lots A and B according to a plan exhibited at the sale thereof containing eleven perches and one half of a perch bounded on the south by the property of Mr. Joseph Nobbs commencing at the building-line in York-street bearing according to the deed of grant west eleven degrees south one hundred feet six inches on the west by Market-row bearing north eleven degrees fifty 25 minutes west thirty feet ten inches or twenty-nine feet two inches from the northern side of the wall on the north by lot C bearing east fourteen degrees forty-five minutes north ninety-six feet six inches to the building-line in York-street and on the east by the said building-line bearing according to the deed of grant south fifteen degrees fifteen minutes east thirty-eight feet six inches to the commencing point.

 SCHEDULE C.

30 All that allotment or parcel of land in the Colony of New South Wales containing by admeasurement twenty-one perches situated in the town of Sydney parish of St. James and county of Cumberland allotment number five of section number forty-one and bounded on the east by the building line of Macquarie-street bearing north three 35 degrees fifteen minutes west seventy-nine links on the north by allotment number six bearing west four degrees north one hundred and thirty-eight links on the west by allotments numbers twenty-five and twenty-six bearing south three degrees thirty minutes west eighteen and a quarter links then west thirty links then south three degrees thirty minutes west sixty-two links and on the south by allotment number four 40 bearing east one hundred and seventy-six links being the allotment advertised in the name of Simon Lear as number six in the Government notice dated the tenth day of February one thousand eight hundred and forty less All that parcel of land being 45 portion of the above-mentioned allotment bounded on the east by Macquarie-street commencing at the north-east corner of lot four and bearing north three degrees fifteen minutes west two feet ten inches on the north by a line bearing west one hundred and sixteen feet on the west by a line bearing southerly two feet ten inches to the north-west corner of the said lot number four and on the south by a 50 line bearing east being the north boundary of lot four aforesaid one hundred and sixteen feet one inch to the point of commencement being the land conveyed to the said John Williams by the indenture of the eleventh day of January one thousand eight hundred and fifty-one hereinbefore mentioned.

SCHEDULE D.

All that piece of land situated in the city of Sydney parish of St. James and county of Cumberland containing thirty-five perches or thereabouts Commencing on the western side of Elizabeth-street at the south-eastern corner of land of the Odd Fellows Society and bounded on the north by that land bearing westerly two hundred and twenty-
eight links to Castlereagh-street On the west by that street bearing southerly ninety-
six links to land of the late T. Flood on the south by that land bearing easterly two
hundred and twenty-eight links to Elizabeth-street aforesaid and on the east by that
street bearing northerly ninety-seven links to the point of commencement being allotment
number fifteen of section thirty-three delineated on the public map of the said City 10
deposited in the office of the Surveyor General originally granted to Thomas Taber the
elder by Crown grant dated the twelfth day of July one thousand eight hundred and
thirty-nine.

Sydney: Thomas Richards, Government Printer.—1872.

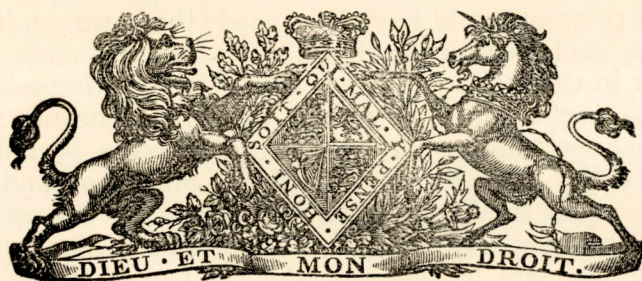
[9d.]

This PRIVATE BILL originated in the LEGISLATIVE COUNCIL, and, having this day passed, is now ready for presentation to the LEGISLATIVE ASSEMBLY for its concurrence.

*Legislative Council Chamber, }
Sydney, 10th July, 1872. }*

JOHN J. CALVERT,
Clerk of the Parliaments.

New South Wales.



ANNO TRICESIMO SEXTO

VICTORIÆ REGINÆ.

An Act to make provision for the sale and disposition and for the application of the proceeds of certain lands and hereditaments in the City of Sydney held upon trusts for a Jewish Synagogue and School and for the appointment of Trustees for such purposes and to declare the trusts of lands and premises appropriated for a Jewish Synagogue and School.

WHEREAS by a deed of grant bearing date the seventh day of Preamble.
May one thousand eight hundred and fifty under the hand of His Excellency Sir Charles Augustus Fitz Roy Knight Captain General and Governor-in-Chief of the Colony of New South Wales and the seal
5 of the said Colony Her Majesty Queen Victoria did thereby grant unto Isaac Levey Moses Joseph Lawrence Spyer and Elias Moses their heirs and assigns All that piece or parcel of land mentioned and described in Schedule A hereunder upon trust for the erection thereon
10 of a Schoolhouse for the use of the members of the Jewish faith and for no other purposes whatsoever And whereas by an indenture bearing date the first day of December one thousand eight hundred and forty-two made between Moses Joseph of the first part Lewis Barnett a trustee for the purpose thereafter mentioned of the second
15 part and the said Moses Joseph Isaac Simmons John Isaacs Israel Solomon and Abraham Elias thereafter designated trustees of the third part reciting that the said Isaac Simmons John Isaacs Israel Solomon and Abraham Elias for and on behalf of themselves and of all other the members of the Jewish persuasion in the Colony aforesaid with and out of certain moneys placed in their hands for that purpose
20 by various members of the said Jewish persuasion had contracted with
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Jewish Synagogue and Schools.

the said Moses Joseph for the purchase of the land thereafter described or appointed and released The said Moses Joseph thereby appointed and also granted bargained sold released and confirmed all those several and respective parcels of land and hereditaments mentioned and described in Schedule B hereunder unto the said Lewis Barnett and his heirs to the use of the said Trustees their heirs and assigns for ever but nevertheless upon the trusts and for the ends intents and purposes and with under and subject to the powers provisions declarations and agreements thereafter expressed and declared concerning the same that is to say upon trust as a site for the erection of a building or Synagogue thereon for the performance of public worship according to the ritual of the Jewish persuasion and for such other purposes matters and things connected therewith as are usual and customary and when and so soon as such building and other erections appurtenant thereto should have been made thereon then in trust for themselves the said Trustees and all other the members of the Jewish persuasion in the Colony of New South Wales aforesaid as a Synagogue for the performance of public worship according to the rites of the Jewish persuasion for ever And whereas by a deed of grant bearing date the thirtieth day of March one thousand eight hundred and forty under the hand of His Excellency Sir George Gipps Knight Captain General and Governor-in-Chief of the Colony of New South Wales and the seal of the said Colony Her Majesty Queen Victoria did thereby grant unto Simon Lear of Macquarie-street Sydney his heirs and assigns all that parcel of land therein mentioned and described hereunder And whereas by an indenture bearing date the seventeenth day of May one thousand eight hundred and forty-two made between the said Simon Lear of the one part and Jean Malcolm of the other part the parcel of land comprised in the lastly hereinbefore recited deed of grant with the appurtenances were granted and released unto and to the use of the said Jean Malcolm her heirs and assigns subject to a proviso for redemption contained in the said reciting indenture upon payment on the seventeenth day of May one thousand eight hundred and forty-three of the sum of three hundred pounds with interest thereon as therein mentioned And the now reciting indenture contains a proviso enabling the said Jean Malcolm her heirs executors administrators or assigns upon default in payment of the principal money or interest thereby secured to sell and dispose of the land and hereditaments hereby assured or any part thereof by public auction or private contract as she or they should think fit And whereas the said Simon Lear by his last will and testament bearing date the seventeenth day of September one thousand eight hundred and forty-seven devised unto Abraham Polack James Simmons and the said Moses Joseph and their heirs (amongst other hereditaments) All that the said parcel of land mentioned and described in the Schedule C hereunder upon trust for the benefit of his wife Elizabeth Lear for life and after her death as to the said land mentioned and described in Schedule C in trust for the Trustees or Trustee for the time being of the Jewish Synagogue in Sydney for the maintenance of the said Synagogue and the public worship therein And whereas the said Simon Lear died on or about the eighteenth day of September one thousand eight hundred and forty-seven without having revoked or altered his said will and the said Elizabeth Lear the wife of the said Simon Lear died in or about the month of January one thousand eight hundred and fifty And whereas by another indenture bearing date the twenty-first day of May one thousand eight hundred and forty-nine made between the said Jean Malcolm of the one part and Isaac Levey and Elias Moses of the other part reciting that there was then due and owing to the said Jean Malcolm under and by virtue of the hereinbefore recited indenture

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indenture of mortgage the sum of two hundred and fifty-two pounds ten shillings for principal and interest in consideration of the sum of two hundred and fifty-two pounds ten shillings expressed to have been paid by the said Isaac Levey and Elias Moses to the said Jean
5 Malcolm all and singular the lands and hereditaments comprised in and assured by the hereinbefore recited indenture of mortgage were granted and released unto and to the use of the said Isaac Levey and Elias Moses their heirs and assigns subject to the equity of redemption subsisting therein And whereas the moneys expressed to have been
10 paid in the lastly-hereinbefore recited indenture by the said Isaac Levey and Elias Moses were moneys paid by them belonging to the Sydney Synagogue York-street or contributed by the members thereof And whereas by another indenture bearing date the eleventh day of January one thousand eight hundred and fifty-one made between the said
15 Isaac Levey and Elias Moses of the one part and John Williams of the other part a portion of the land and hereditaments comprised in the lastly-hereinbefore recited deed of grant were in exercise of the power of sale contained in the hereinbefore recited indenture of mortgage granted and released unto and to the use of the said John Williams
20 his heirs and assigns leaving the premises comprised in the Schedule C hereunder subject to the trust declared by the will of the said Simon Lear deceased And whereas by a memorandum of transfer under the Real Property Act bearing date the twenty-eighth day of February one thousand eight hundred and seventy-one and numbered five thousand
25 eight hundred and twenty-two under the hands of James Tabar and George Tabar in consideration of the sum of two thousand pounds paid to them by John Solomon Moses Moss and David Lawrence Levy the piece or parcel of land and hereditaments mentioned and described in the Schedule D hereunder situate in Elizabeth and Castlereagh
30 Streets Sydney were transferred to the said John Solomon Moses Moss and David Lawrence Levy their heirs and assigns and a certificate of title bearing date the twenty-first day of March one thousand eight hundred and seventy-one registered volume one hundred and seventeen folio seventy-seven has been issued under the Real Property Act to
35 the said John Solomon Moses Moss and David Lawrence Levy as the registered proprietors in joint tenancy of the said land and hereditaments And whereas the purchase money of the said lands and hereditaments has been paid by the said John Solomon Moses Moss and David Lawrence Levy partly with certain trust moneys being a
40 sum voted by the Legislative Assembly of New South Wales on the twelfth day of April one thousand eight hundred and seventy as a compensation to the Jewish community for certain lands and hereditaments in Kent-street Sydney some years since appropriated by the Government of New South Wales as a site for the erection thereon of
45 a Synagogue but subsequently otherwise granted by the Crown and partly out of moneys contributed by members of the Jewish community towards the erection of a new Synagogue building or buildings and the said land and hereditaments mentioned and described in the Schedule D hereunder were so purchased and transferred to the said John
50 Solomon Moses Moss and David Lawrence Levy as Trustees for the Jewish community in the Colony of New South Wales of the said land and hereditaments for the erection of a new Synagogue building or buildings thereon And the nomination of the said John Solomon Moses Moss and David Lawrence Levy was confirmed and their
55 appointment as such Trustees determined by a resolution adopted at a public meeting of the Jewish community held at the Masonic Hall York-street Sydney on the thirteenth day of March one thousand eight hundred and seventy-one at which meeting the promoters of this Bill were also appointed a committee with power to add to their number
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for carrying out a resolution adopted at such meeting for the erection of a place of worship upon the said land and hereditaments mentioned and described in the said Schedule D hereunder And whereas Isaac Levey one of the Trustees named in the hereinbefore recited deed of
5 grant of the said land mentioned and described in the said Schedule A hereunder died on or about the thirtieth day of May one thousand eight hundred and sixty and Moses Joseph and Lawrence Spyer other Trustees named in the said deed of grant have been for some time past and now are permanently resident out of the Colony of New
10 South Wales and the said Elias Moses the other Trustee named in the said deed of grant has long been resident out of the Colony or distant from Sydney aforesaid And whereas the said Moses Joseph and Israel Solomon two of the said Trustees of the said parcels of land mentioned and described in the said Schedule B hereunder have been for some
15 time past and now are permanently resident out of the said Colony And the said Isaac Simmons another of the said Trustees never accepted or acted in the trusts of the said indenture of the first day of December one thousand eight hundred and forty-two And the said John Isaacs another of the said Trustees is willing to be discharged
20 from the trusts of the said indenture And the said Abraham Elias the other Trustee named therein died on or about the eighteenth day of August one thousand eight hundred and fifty-six and there has been no appointment of any new Trustee or Trustees under the power contained in the said indenture And whereas the said land mentioned
25 and described in the said Schedule A hereunder is ineligible as a site for a School-house for members of the Jewish faith and it would be for the benefit and advantage of all members of the Jewish faith in the Colony of New South Wales that the said land should be sold and the proceeds applied in or towards procuring suitable School
30 premises or that the same should be exchanged for other more suitable premises And whereas the said parcels of land mentioned and described in the Schedule B hereunder and the buildings erected thereon are now insufficient in accommodation for the purposes of a Synagogue and members of the Jewish community in the City of Sydney have recently
35 contributed largely and subscribed funds for the erection of a new Synagogue building or buildings on the site of land mentioned and described in the Schedule D hereunder and it has been determined to proceed forthwith with the erection thereof And whereas it is desirable and expedient and it would be for the benefit and advantage of the
40 members of the Jewish community in the said Colony that the said parcels of land and hereditaments respectively mentioned and described in the said Schedules B and C and the buildings and erections on the said hereditaments mentioned in the said Schedule B should be disposed of and that the proceeds or value thereof should be applied
45 in or towards the erection of the said new Synagogue building or buildings but there is no power under the hereinbefore recited indenture of the first day of December one thousand eight hundred and forty-two to dispose of the said properties And whereas it may be found more advantageous to exchange and it would be for the benefit of all
50 members of the Jewish faith in the Colony of New South Wales that the Trustees hereinafter mentioned should have the power of exchanging the said parcel of land mentioned and described in the said Schedule A hereunder for the said parcels of land mentioned and described in the said Schedule B hereunder and the buildings and
55 erections thereon in order that the said lastly mentioned premises might thenceforth be held for a Jewish School for the members of the Jewish faith in the said Colony for which purpose such lastly mentioned premises are specially adapted and should also have the power in the event of making such exchange of selling the said parcel of land mentioned and
described

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described in the said Schedule A hereunder and of applying the moneys to arise from any such sale in or towards the erection of the said new Synagogue building or buildings And whereas it is expedient that the vacancies in the trusts of the said several hereditaments should be
 5 filled up and other Trustees appointed in lieu of those absent from the said Colony and residing at a distance from Sydney as aforesaid and that for the purposes of carrying out all the said objects hereinbefore mentioned it is expedient to appoint one set of Trustees for all the said several parcels of land and premises mentioned and described in the
 10 said several Schedules A B and C hereunder And whereas it is expedient to declare fully and effectually the trusts upon which any Jewish School-house and School premises should be held And to declare fully and effectually the trusts upon which the Trustees hereinafter mentioned should hold the said land and hereditaments
 15 mentioned and described in the Schedule D hereunder and the building or buildings to be erected thereon And to declare the trusts of all future properties given devised or bequeathed upon trusts not fully expressed to or for the maintenance of the said new Synagogue And also to make provision for filling up all future vacancies in the offices
 20 of Trustees of all and every the said properties 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 :—

25 1. John Solomon of Alberto Terrace Sydney Esquire Moses Moss of Wynyard-lane Sydney Merchant and David Lawrence Levy of Pitt-street Sydney Solicitor shall henceforth be Trustees of all the several parcels of land mentioned and described in the said several Schedules A B and C hereunder and of all buildings erections
 30 and appurtenances thereon and thereunto appertaining in lieu of the several persons respectively named in the hereinbefore recited deed of grant indenture and will respectively and the said several lands hereditaments and premises shall henceforth be vested in the said John Solomon Moses Moss and David Lawrence Levy their heirs and
 35 assigns for an absolute estate of inheritance in fee simple upon the trusts and to and for the ends intents and purposes and with under and subject to the powers and provisoes herein expressed and contained.

2. It shall and may be lawful for the said Trustees at any time
 40 after the passing of this Act to sell and dispose of all and singular the hereinbefore mentioned lands and premises or any or either of them by public auction or private contract either in one or several lots as the said Trustees shall deem most expedient for such price or prices as can be reasonably had or obtained for the same and upon such terms and conditions of sale as they the said Trustees shall deem
 45 expedient with power to buy in the said lands hereditaments and premises or any or either of them or any part or parts thereof at any auction sale or to rescind or vary the terms of any contract for sale without being responsible for any loss to be occasioned thereby and when sold to convey the said lands hereditaments and premises or any
 50 or either of them or any part or parts thereof to the purchaser or purchasers of the same in fee simple freed and discharged from the trusts affecting the said lands hereditaments and premises sold or disposed of And the receipt or receipts in writing of the said Trustees shall absolutely discharge the purchaser or purchasers of the lands
 55 hereditaments and premises sold for the purchase money payable by him her or them respectively and shall exonerate him her or them from seeing to the application of the purchase money for the same and from liability for the misapplication or non-application thereof.

Jewish Synagogue and Schools.

3. It shall and may be lawful for the said Trustees to allow any purchaser or purchasers of all or any of the said lands hereditaments and premises hereinbefore described or any part or parts thereof credit for any period not exceeding three years for the payment of the whole or part of his her or their purchase money upon such terms as to interest or otherwise as the said Trustees may deem reasonable and proper provided that such lands hereditaments and premises shall remain unconveyed or shall be rendered a security by charge mortgage or otherwise for so much of the purchase money thereof as shall remain unpaid together with interest thereon until payment thereof the lien of the said Trustees as vendors continuing notwithstanding any arrangement as to or security for the purchase money or any part thereof remaining unpaid.

Power to sell on credit.

4. The said Trustees shall stand possessed of the net moneys to arise from any sale of the said lands hereditaments and premises mentioned and described in the said Schedule B hereunder or any part thereof (in the event of the same premises or any part thereof being sold) and also of the net moneys to arise from the sale of the said parcel of land hereditaments and premises mentioned and described in the said Schedule C hereunder upon trust to apply the same at such time or times as they shall think fit in or towards the erection of a new Synagogue building or buildings subject in all respects to the direction and control of the said committee appointed at the said public meeting held on the thirteenth day of March one thousand eight hundred and seventy-one And in the event of the said parcel of land hereditaments and premises mentioned and described in the said Schedule B hereunder and the said buildings thereon not being exchanged and substituted for the said parcel of land and hereditaments mentioned and described in the Schedule A hereunder then the said Trustees shall stand possessed of the net moneys to arise from any sale of the said land and hereditaments mentioned in the said Schedule A or any part thereof upon trust to apply the same at such time or times as they shall deem expedient in or towards the purchase of other lands and hereditaments with or without buildings thereon as a site for or for the purposes of a school-house for members of the Jewish faith in the City of Sydney and also in or towards the erection upon any land so purchased of a school-house or also in the alteration or adaptation to the purposes of such school-house of any buildings upon any land so purchased or if required by the said committee shall apply such proceeds of sale in providing suitable school-rooms or premises in connection with a new Synagogue building.

Application of proceeds of sale.

5. If the said Trustees shall be required so to do by the said Committee it shall be lawful for the said Trustees their heirs and assigns to exchange and substitute the said parcels of land hereditaments and premises mentioned and described in the said Schedule B and the buildings and erections thereon for the said parcel of land and hereditaments mentioned and described in the said Schedule A and in the event of such exchange the said parcels of land hereditaments and premises mentioned and described in the said Schedule B shall be applied and used for the purposes of a School-house or School premises for members of the Jewish faith in the said City of Sydney.

Power of exchange.

6. Any such School-house and premises whether purchased or provided under and according to the provisions of the fourth section of this Act or established on the said parcels of land hereditaments and premises mentioned and described in the said Schedule B shall be held in trust for the purposes of a Jewish School subject to the immediate control of the duly constituted Local Board of the Jewish Denominational School in Sydney or in the District of the City of Sydney within which the said premises may be situate and subject to the

Trust of School premises.

Jewish Synagogue and Schools.

the regulations for the time being of the said Board in accordance with the Public Schools Act thirtieth Victoria number twenty-two and subject in all respects to the regulations of the Council of Education appointed under the said Act And in the event of there being at any
 5 time no certified Jewish Denominational School in Sydney then such school premises shall be held in trust for the purposes of a Jewish School subject to any regulations which may from time to time be made by subscribers of the Jewish faith in support thereof.

7. In the event of the said parcels of land and hereditaments
 10 mentioned and described in the said Schedule B and the buildings and erections thereon being exchanged and substituted for the said parcel of land mentioned and described in the said Schedule A the said Trustees shall stand possessed of the net moneys to arise from any
 15 and every sale or sales of the said lands hereditaments and premises mentioned and described in the said Schedule A upon trust to apply the same in or towards the erection of a new Synagogue building or buildings in manner and subject as aforesaid.

Application of proceeds of land on Church Hill in the event of exchange.

8. The said land and hereditaments mentioned and described in
 20 the Schedule D hereunder shall be held by the said Trustees upon trust as a site for the erection thereon of a new Synagogue building or buildings according to the directions of the Committee constituted by the said public meeting held on the thirteenth day of March
 25 one thousand eight hundred and seventy-one And from and after the erection of such building or buildings and the consecration of the said new Synagogue the said land hereditaments and premises shall
 30 subject to the provisions of section six of this Act as to any School premises provided in connection therewith be held upon trust as a Synagogue for the members of the Jewish community of the Colony of New South Wales and for the performance of public worship therein by
 35 members of the Jewish faith subject to the direction and control and subject to the laws and regulations made from time to time by the Board of Management for the time-being of the said new Synagogue to be elected after the first election hereinafter provided for by the seatholders thereof in accordance with such laws and regulations
 40 the first Board of Management of the said new Synagogue for the current Jewish year to consist of a President Treasurer and eight Committee men elected by ballot and by a majority of votes by the subscribers of the Jewish faith to the said fund taken personally or
 45 by proxy at a public meeting to be convened three months prior to the consecration of the said Synagogue by fourteen days previous notice published in two Sydney newspapers such election to be made from the persons nominated for election to such Board of Management at a public meeting of the said subscribers to be held one month
 50 days previous notice in two Sydney newspapers and in taking the votes at such meeting for election every individual subscriber to the amount of one pound shall be entitled to a vote and every subscriber contributing to the amount of ten pounds shall be entitled to two votes and also to a further vote for every additional ten pounds
 50 contributed.

Trusts of land in Elizabeth and Castlereagh streets Sydney and of new Synagogue buildings.

9. All properties real and personal hereafter given devised or
 bequeathed to or for the said new Synagogue shall unless there be the
 expression of any contrary intention in the deed of gift will or other
 instrument giving devising or bequeathing the same or any provision
 55 therein inconsistent herewith be conveyed assigned or otherwise assured to the said Trustees and unless otherwise provided for by the said deed of gift will or other instrument shall be applied towards the erection of or the support or maintenance of the said new Synagogue according or subject to the direction of the said Board of
 Management

Trust of future properties given or bequeathed to Synagogue with power of sale.

Jewish Synagogue and Schools.

Management and subject to any provisions in any deed will or instrument conveying assigning devising or bequeathing the same and so far as shall not be inconsistent with any such deed will or instrument it shall and may be lawful for the said Trustees at any
 5 time when required so to do by the said Committee and after the consecration of the said new Synagogue when required to do so by the Board of Management for the time-being of the said Synagogue elected as aforesaid to sell and dispose in manner hereinbefore mentioned of any such real or personal property or of any part or parts
 10 thereof with power to convey assign or otherwise assure the same when sold to the purchaser or purchasers thereof with the like full and discretionary powers upon the sale or sales of any such property as are hereby conferred as to the lands and hereditaments described in the Schedules A B and C hereunder with the like power to give receipts
 15 to any purchaser or purchasers which shall in like manner discharge him her or them for the purchase money payable and shall exonerate him her or them from seeing to the application or from liability for the misapplication or non-application thereof.

10. Whenever and so often as any one or more of the said
 20 Trustees or any Trustee appointed under the provisions of this Act shall die or resign his office of Trustee or shall go to reside out of the Colony of New South Wales or reside one hundred miles distant from Sydney for a period of twelve months it shall be lawful for the surviving or other continuing Trustees or Trustee or for the last retiring Trustee or
 25 for the acting executors or administrators of the last surviving or continuing Trustee by instrument in writing to appoint any person or persons nominated for the purpose by the said Committee and after the consecration of the said new Synagogue by the Board of Management for the time being of the said Synagogue to be a new Trustee or
 30 new Trustees in the place of the Trustee or Trustees so dying resigning going to reside out of the Colony or residing so distant from Sydney as aforesaid and so often as any new Trustee or Trustees shall be so appointed as aforesaid the trust premises which for the time-being shall be vested in the surviving or continuing Trustees or Trustee or the
 35 last retiring Trustee or the heirs executors or administrators of any such surviving or continuing Trustee shall by virtue of such appointment and without other assurance in the law become and be conveyed and transferred so that the same shall thereupon become and be legally and effectually vested in such new Trustee or Trustees either solely or
 40 jointly with the surviving or continuing Trustees or Trustee as the case may require and every new Trustee to be appointed as aforesaid shall have the like powers authorities and discretions and shall and may in all respects act as if he had been originally appointed a Trustee by this Act.

Appointment from time to time of new Trustees.

45 11. Wherever the expression "the said Trustees" occurs or is used in this Act such expression shall be construed and taken to mean and include any Trustees of the said trust premises whether original or substituted.

Construction of word "Trustee."

50 12. This Act may be cited as the "Jewish Synagogue and
 Schools Act of 1872."

Title of Act.

SCHEDULES.

Jewish Synagogue and Schools.

SCHEDULES.

SCHEDULE A.

All that piece or parcel of land in the Colony of New South Wales containing by admeasurement sixteen and one quarter perches be the same more or less situated in the
 5 county of Cumberland parish of St. Philip and city of Sydney being allotment number twenty-five and part of number twenty-six on Church Hill commencing at the intersection of Charlotte-place with Princes-street and bounded on the south by Charlotte-place bearing west fifteen degrees south sixty-seven feet three inches on the west by a lane sixteen feet wide bearing north fifteen degrees west fifty-nine feet on the north by a line
 10 bearing east fifteen degrees north eighty-six feet three inches and on the east by the building-line of Princes-street sixty-two feet southerly to the commencing corner.

SCHEDULE B.

All that parcel of land situate in York-street in the parish of St. Andrews in the city of Sydney being lot C Commencing at the building-line of that street and bounded
 15 on the south by lot B bearing westerly ninety-six feet six inches to Market-row on the west by Market-row bearing northerly eighteen feet on the north by lot D being a line bearing easterly ninety-four feet eight inches to the building-line in York-street on the east by the said building-line in York-street bearing about south to the north-east corner of lot B eighteen feet which corner is the point of commencement And also all that
 20 parcel of land situate in York-street aforesaid being lots A and B according to a plan exhibited at the sale thereof containing eleven perches and one half of a perch bounded on the south by the property of Mr. Joseph Nobbs commencing at the building-line in York-street bearing according to the deed of grant west eleven degrees south one hundred feet six inches on the west by Market-row bearing north eleven degrees fifty
 25 minutes west thirty feet ten inches or twenty-nine feet two inches from the northern side of the wall on the north by lot C bearing east fourteen degrees forty-five minutes north ninety-six feet six inches to the building-line in York-street and on the east by the said building-line bearing according to the deed of grant south fifteen degrees fifteen minutes east thirty-eight feet six inches to the commencing point.

SCHEDULE C.

All that allotment or parcel of land in the Colony of New South Wales containing by admeasurement twenty-one perches situated in the town of Sydney parish of St. James and county of Cumberland allotment number five of section number forty-one and bounded on the east by the building line of Macquarie-street bearing north three
 35 degrees fifteen minutes west seventy-nine links on the north by allotment number six bearing west four degrees north one hundred and thirty-eight links on the west by allotments numbers twenty-five and twenty-six bearing south three degrees thirty minutes west eighteen and a quarter links then west thirty links then south three degrees thirty minutes west sixty-two links and on the south by allotment number four
 40 bearing east one hundred and seventy-six links being the allotment advertised in the name of Simon Lear as number six in the Government notice dated the tenth day of February one thousand eight hundred and forty less All that parcel of land being portion of the above-mentioned allotment bounded on the east by Macquarie-street commencing at the north-east corner of lot four and bearing north three degrees fifteen
 45 minutes west two feet ten inches on the north by a line bearing west one hundred and sixteen feet on the west by a line bearing southerly two feet ten inches to the north-west corner of the said lot number four and on the south by a line bearing east being the north boundary of lot four aforesaid one hundred and sixteen feet one inch to the point of commencement being the land conveyed to the said John Williams by the indenture
 50 of the eleventh day of January one thousand eight hundred and fifty-one hereinbefore mentioned.

Jewish Synagogue and Schools.

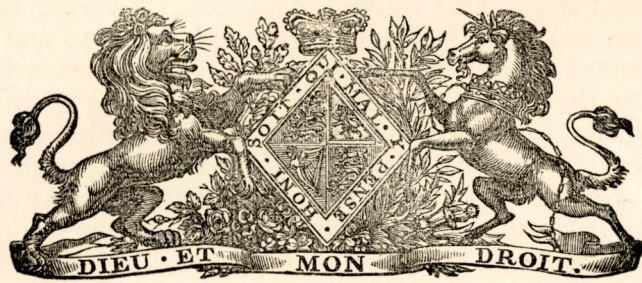
SCHEDULE D.

All that piece of land situated in the city of Sydney parish of St. James and county of Cumberland containing thirty-five perches or thereabouts Commencing on the western side of Elizabeth-street at the south-eastern corner of land of the Odd Fellows
5 Society and bounded on the north by that land bearing westerly two hundred and twenty-eight links to Castlereagh-street On the west by that street bearing southerly ninety-six links to land of the late T. Flood on the south by that land bearing easterly two hundred and twenty-eight links to Elizabeth-street aforesaid and on the east by that street bearing northerly ninety-seven links to the point of commencement being allotment
10 number fifteen of section thirty-three delineated on the public map of the said City deposited in the office of the Surveyor General originally granted to Thomas Taber the elder by Crown grant dated the twelfth day of July one thousand eight hundred and thirty-nine.

Sydney: Thomas Richards, Government Printer.—1872.

[9d.]

New South Wales.



ANNO TRICESIMO SEXTO

VICTORIÆ REGINÆ.

An Act to make provision for the sale and disposition and for the application of the proceeds of certain lands and hereditaments in the City of Sydney held upon trusts for a Jewish Synagogue and School and for the appointment of Trustees for such purposes and to declare the trusts of lands and premises appropriated for a Jewish Synagogue and School. [Assented to, 12th August, 1872.]

WHEREAS by a deed of grant bearing date the seventh day of Preamble.
May one thousand eight hundred and fifty under the hand of His Excellency Sir Charles Augustus Fitz Roy Knight Captain General and Governor-in-Chief of the Colony of New South Wales and the seal of the said Colony Her Majesty Queen Victoria did thereby grant unto Isaac Levey Moses Joseph Lawrence Spyer and Elias Moses their heirs and assigns All that piece or parcel of land mentioned and described in Schedule A hereunder upon trust for the erection thereon of a Schoolhouse for the use of the members of the Jewish faith and for no other purposes whatsoever And whereas by an indenture bearing date the first day of December one thousand eight hundred and forty-two made between Moses Joseph of the first part Lewis Barnett a trustee for the purpose thereafter mentioned of the second part and the said Moses Joseph Isaac Simmons John Isaacs Israel Solomon and Abraham Elias thereafter designated trustees of the third part reciting that the said Isaac Simmons John Isaacs Israel Solomon and Abraham Elias for and on behalf of themselves and of all other the members of the Jewish persuasion in the Colony aforesaid with and out of certain moneys placed in their hands for that purpose by various members of the said Jewish persuasion had contracted with
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Jewish Synagogue and Schools.

the said Moses Joseph for the purchase of the land thereafter described or appointed and released The said Moses Joseph thereby appointed and also granted bargained sold released and confirmed all those several and respective parcels of land and hereditaments mentioned and described in Schedule B hereunder unto the said Lewis Barnett and his heirs to the use of the said Trustees their heirs and assigns for ever but nevertheless upon the trusts and for the ends intents and purposes and with under and subject to the powers provisions declarations and agreements thereafter expressed and declared concerning the same that is to say upon trust as a site for the erection of a building or Synagogue thereon for the performance of public worship according to the ritual of the Jewish persuasion and for such other purposes matters and things connected therewith as are usual and customary and when and so soon as such building and other erections appurtenant thereto should have been made thereon then in trust for themselves the said Trustees and all other the members of the Jewish persuasion in the Colony of New South Wales aforesaid as a Synagogue for the performance of public worship according to the rites of the Jewish persuasion for ever And whereas by a deed of grant bearing date the thirtieth day of March one thousand eight hundred and forty under the hand of His Excellency Sir George Gipps Knight Captain General and Governor-in-Chief of the Colony of New South Wales and the seal of the said Colony Her Majesty Queen Victoria did thereby grant unto Simon Lear of Macquarie-street Sydney his heirs and assigns all that parcel of land therein mentioned and described hereunder And whereas by an indenture bearing date the seventeenth day of May one thousand eight hundred and forty-two made between the said Simon Lear of the one part and Jean Malcolm of the other part the parcel of land comprised in the lastly hereinbefore recited deed of grant with the appurtenances were granted and released unto and to the use of the said Jean Malcolm her heirs and assigns subject to a proviso for redemption contained in the said reciting indenture upon payment on the seventeenth day of May one thousand eight hundred and forty-three of the sum of three hundred pounds with interest thereon as therein mentioned And the now reciting indenture contains a proviso enabling the said Jean Malcolm her heirs executors administrators or assigns upon default in payment of the principal money or interest thereby secured to sell and dispose of the land and hereditaments hereby assured or any part thereof by public auction or private contract as she or they should think fit And whereas the said Simon Lear by his last will and testament bearing date the seventeenth day of September one thousand eight hundred and forty-seven devised unto Abraham Polack James Simmons and the said Moses Joseph and their heirs (amongst other hereditaments) All that the said parcel of land mentioned and described in the Schedule C hereunder upon trust for the benefit of his wife Elizabeth Lear for life and after her death as to the said land mentioned and described in Schedule C in trust for the Trustees or Trustee for the time being of the Jewish Synagogue in Sydney for the maintenance of the said Synagogue and the public worship therein And whereas the said Simon Lear died on or about the eighteenth day of September one thousand eight hundred and forty-seven without having revoked or altered his said will and the said Elizabeth Lear the wife of the said Simon Lear died in or about the month of January one thousand eight hundred and fifty And whereas by another indenture bearing date the twenty-first day of May one thousand eight hundred and forty-nine made between the said Jean Malcolm of the one part and Isaac Levey and Elias Moses of the other part reciting that there was then due and owing to the said Jean Malcolm under and by virtue of the hereinbefore recited indenture

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indenture of mortgage the sum of two hundred and fifty-two pounds ten shillings for principal and interest in consideration of the sum of two hundred and fifty-two pounds ten shillings expressed to have been paid by the said Isaac Levey and Elias Moses to the said Jean Malcolm all and singular the lands and hereditaments comprised in and assured by the hereinbefore recited indenture of mortgage were granted and released unto and to the use of the said Isaac Levey and Elias Moses their heirs and assigns subject to the equity of redemption subsisting therein. And whereas the moneys expressed to have been paid in the lastly-hereinbefore recited indenture by the said Isaac Levey and Elias Moses were moneys paid by them belonging to the Sydney Synagogue York-street or contributed by the members thereof. And whereas by another indenture bearing date the eleventh day of January one thousand eight hundred and fifty-one made between the said Isaac Levey and Elias Moses of the one part and John Williams of the other part a portion of the land and hereditaments comprised in the lastly-hereinbefore recited deed of grant were in exercise of the power of sale contained in the hereinbefore recited indenture of mortgage granted and released unto and to the use of the said John Williams his heirs and assigns leaving the premises comprised in the Schedule C hereunder subject to the trust declared by the will of the said Simon Lear deceased. And whereas by a memorandum of transfer under the Real Property Act bearing date the twenty-eighth day of February one thousand eight hundred and seventy-one and numbered five thousand eight hundred and twenty-two under the hands of James Tabar and George Tabar in consideration of the sum of two thousand pounds paid to them by John Solomon Moses Moss and David Lawrence Levy the piece or parcel of land and hereditaments mentioned and described in the Schedule D hereunder situate in Elizabeth and Castlereagh Streets Sydney were transferred to the said John Solomon Moses Moss and David Lawrence Levy their heirs and assigns and a certificate of title bearing date the twenty-first day of March one thousand eight hundred and seventy-one registered volume one hundred and seventeen folio seventy-seven has been issued under the Real Property Act to the said John Solomon Moses Moss and David Lawrence Levy as the registered proprietors in joint tenancy of the said land and hereditaments. And whereas the purchase money of the said lands and hereditaments has been paid by the said John Solomon Moses Moss and David Lawrence Levy partly with certain trust moneys being a sum voted by the Legislative Assembly of New South Wales on the twelfth day of April one thousand eight hundred and seventy as a compensation to the Jewish community for certain lands and hereditaments in Kent-street Sydney some years since appropriated by the Government of New South Wales as a site for the erection thereon of a Synagogue but subsequently otherwise granted by the Crown and partly out of moneys contributed by members of the Jewish community towards the erection of a new Synagogue building or buildings and the said land and hereditaments mentioned and described in the Schedule D hereunder were so purchased and transferred to the said John Solomon Moses Moss and David Lawrence Levy as Trustees for the Jewish community in the Colony of New South Wales of the said land and hereditaments for the erection of a new Synagogue building or buildings thereon. And the nomination of the said John Solomon Moses Moss and David Lawrence Levy was confirmed and their appointment as such Trustees determined by a resolution adopted at a public meeting of the Jewish community held at the Masonic Hall York-street Sydney on the thirteenth day of March one thousand eight hundred and seventy-one at which meeting the promoters of this Bill were also appointed a committee with power to add to their number
for

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for carrying out a resolution adopted at such meeting for the erection of a place of worship upon the said land and hereditaments mentioned and described in the said Schedule D hereunder And whereas Isaac Levey one of the Trustees named in the hereinbefore recited deed of grant of the said land mentioned and described in the said Schedule A hereunder died on or about the thirtieth day of May one thousand eight hundred and sixty and Moses Joseph and Lawrence Spyer other Trustees named in the said deed of grant have been for some time past and now are permanently resident out of the Colony of New South Wales and the said Elias Moses the other Trustee named in the said deed of grant has long been resident out of the Colony or distant from Sydney aforesaid And whereas the said Moses Joseph and Israel Solomon two of the said Trustees of the said parcels of land mentioned and described in the said Schedule B hereunder have been for some time past and now are permanently resident out of the said Colony And the said Isaac Simmons another of the said Trustees never accepted or acted in the trusts of the said indenture of the first day of December one thousand eight hundred and forty-two And the said John Isaacs another of the said Trustees is willing to be discharged from the trusts of the said indenture And the said Abraham Elias the other Trustee named therein died on or about the eighteenth day of August one thousand eight hundred and fifty-six and there has been no appointment of any new Trustee or Trustees under the power contained in the said indenture And whereas the said land mentioned and described in the said Schedule A hereunder is ineligible as a site for a School-house for members of the Jewish faith and it would be for the benefit and advantage of all members of the Jewish faith in the Colony of New South Wales that the said land should be sold and the proceeds applied in or towards procuring suitable School premises or that the same should be exchanged for other more suitable premises And whereas the said parcels of land mentioned and described in the Schedule B hereunder and the buildings erected thereon are now insufficient in accommodation for the purposes of a Synagogue and members of the Jewish community in the City of Sydney have recently contributed largely and subscribed funds for the erection of a new Synagogue building or buildings on the site of land mentioned and described in the Schedule D hereunder and it has been determined to proceed forthwith with the erection thereof And whereas it is desirable and expedient and it would be for the benefit and advantage of the members of the Jewish community in the said Colony that the said parcels of land and hereditaments respectively mentioned and described in the said Schedules B and C and the buildings and erections on the said hereditaments mentioned in the said Schedule B should be disposed of and that the proceeds or value thereof should be applied in or towards the erection of the said new Synagogue building or buildings but there is no power under the hereinbefore recited indenture of the first day of December one thousand eight hundred and forty-two to dispose of the said properties And whereas it may be found more advantageous to exchange and it would be for the benefit of all members of the Jewish faith in the Colony of New South Wales that the Trustees hereinafter mentioned should have the power of exchanging the said parcel of land mentioned and described in the said Schedule A hereunder for the said parcels of land mentioned and described in the said Schedule B hereunder and the buildings and erections thereon in order that the said lastly mentioned premises might thenceforth be held for a Jewish School for the members of the Jewish faith in the said Colony for which purpose such lastly mentioned premises are specially adapted and should also have the power in the event of making such exchange of selling the said parcel of land mentioned and described

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described in the said Schedule A hereunder and of applying the moneys to arise from any such sale in or towards the erection of the said new Synagogue building or buildings And whereas it is expedient that the vacancies in the trusts of the said several hereditaments should be filled up and other Trustees appointed in lieu of those absent from the said Colony and residing at a distance from Sydney as aforesaid and that for the purposes of carrying out all the said objects hereinbefore mentioned it is expedient to appoint one set of Trustees for all the said several parcels of land and premises mentioned and described in the said several Schedules A B and C hereunder And whereas it is expedient to declare fully and effectually the trusts upon which any Jewish School-house and School premises should be held And to declare fully and effectually the trusts upon which the Trustees hereinafter mentioned should hold the said land and hereditaments mentioned and described in the Schedule D hereunder and the building or buildings to be erected thereon And to declare the trusts of all future properties given devised or bequeathed upon trusts not fully expressed to or for the maintenance of the said new Synagogue And also to make provision for filling up all future vacancies in the offices of Trustees of all and every the said properties 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. John Solomon of Alberto Terrace Sydney Esquire Moses Moss of Wynyard-lane Sydney Merchant and David Lawrence Levy of Pitt-street Sydney Solicitor shall henceforth be Trustees of all the several parcels of land mentioned and described in the said several Schedules A B and C hereunder and of all buildings erections and appurtenances thereon and thereunto appertaining in lieu of the several persons respectively named in the hereinbefore recited deed of grant indenture and will respectively and the said several lands hereditaments and premises shall henceforth be vested in the said John Solomon Moses Moss and David Lawrence Levy their heirs and assigns for an absolute estate of inheritance in fee simple upon the trusts and to and for the ends intents and purposes and with under and subject to the powers and provisoes herein expressed and contained.

Appointment of
new Trustees.

2. It shall and may be lawful for the said Trustees at any time after the passing of this Act to sell and dispose of all and singular the hereinbefore mentioned lands and premises or any or either of them by public auction or private contract either in one or several lots as the said Trustees shall deem most expedient for such price or prices as can be reasonably had or obtained for the same and upon such terms and conditions of sale as they the said Trustees shall deem expedient with power to buy in the said lands hereditaments and premises or any or either of them or any part or parts thereof at any auction sale or to rescind or vary the terms of any contract for sale without being responsible for any loss to be occasioned thereby and when sold to convey the said lands hereditaments and premises or any or either of them or any part or parts thereof to the purchaser or purchasers of the same in fee simple freed and discharged from the trusts affecting the said lands hereditaments and premises sold or disposed of And the receipt or receipts in writing of the said Trustees shall absolutely discharge the purchaser or purchasers of the lands hereditaments and premises sold for the purchase money payable by him her or them respectively and shall exonerate him her or them from seeing to the application of the purchase money for the same and from liability for the misapplication or non-application thereof.

Powers of sale.

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Power to sell on
credit.

3. It shall and may be lawful for the said Trustees to allow any purchaser or purchasers of all or any of the said lands hereditaments and premises hereinbefore described or any part or parts thereof credit for any period not exceeding three years for the payment of the whole or part of his her or their purchase money upon such terms as to interest or otherwise as the said Trustees may deem reasonable and proper provided that such lands hereditaments and premises shall remain unconveyed or shall be rendered a security by charge mortgage or otherwise for so much of the purchase money thereof as shall remain unpaid together with interest thereon until payment thereof the lien of the said Trustees as vendors continuing notwithstanding any arrangement as to or security for the purchase money or any part thereof remaining unpaid.

Application of
proceeds of sale.

4. The said Trustees shall stand possessed of the net moneys to arise from any sale of the said lands hereditaments and premises mentioned and described in the said Schedule B hereunder or any part thereof (in the event of the same premises or any part thereof being sold) and also of the net moneys to arise from the sale of the said parcel of land hereditaments and premises mentioned and described in the said Schedule C hereunder upon trust to apply the same at such time or times as they shall think fit in or towards the erection of a new Synagogue building or buildings subject in all respects to the direction and control of the said committee appointed at the said public meeting held on the thirteenth day of March one thousand eight hundred and seventy-one. And in the event of the said parcel of land hereditaments and premises mentioned and described in the said Schedule B hereunder and the said buildings thereon not being exchanged and substituted for the said parcel of land and hereditaments mentioned and described in the Schedule A hereunder then the said Trustees shall stand possessed of the net moneys to arise from any sale of the said land and hereditaments mentioned in the said Schedule A or any part thereof upon trust to apply the same at such time or times as they shall deem expedient in or towards the purchase of other lands and hereditaments with or without buildings thereon as a site for or for the purposes of a school-house for members of the Jewish faith in the City of Sydney and also in or towards the erection upon any land so purchased of a school-house or also in the alteration or adaptation to the purposes of such school-house of any buildings upon any land so purchased or if required by the said committee shall apply such proceeds of sale in providing suitable school-rooms or premises in connection with a new Synagogue building.

Power of exchange.

5. If the said Trustees shall be required so to do by the said Committee it shall be lawful for the said Trustees their heirs and assigns to exchange and substitute the said parcels of land hereditaments and premises mentioned and described in the said Schedule B and the buildings and erections thereon for the said parcel of land and hereditaments mentioned and described in the said Schedule A and in the event of such exchange the said parcels of land hereditaments and premises mentioned and described in the said Schedule B shall be applied and used for the purposes of a School-house or School premises for members of the Jewish faith in the said City of Sydney.

Trust of School
premises.

6. Any such School-house and premises whether purchased or provided under and according to the provisions of the fourth section of this Act or established on the said parcels of land hereditaments and premises mentioned and described in the said Schedule B shall be held in trust for the purposes of a Jewish School subject to the immediate control of the duly constituted Local Board of the Jewish Denominational School in Sydney or in the District of the City of Sydney within which the said premises may be situate and subject to the

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the regulations for the time being of the said Board in accordance with the Public Schools Act thirtieth Victoria number twenty-two and subject in all respects to the regulations of the Council of Education appointed under the said Act. And in the event of there being at any time no certified Jewish Denominational School in Sydney then such school premises shall be held in trust for the purposes of a Jewish School subject to any regulations which may from time to time be made by subscribers of the Jewish faith in support thereof.

7. In the event of the said parcels of land and hereditaments mentioned and described in the said Schedule B and the buildings and erections thereon being exchanged and substituted for the said parcel of land mentioned and described in the said Schedule A the said Trustees shall stand possessed of the net moneys to arise from any and every sale or sales of the said lands hereditaments and premises mentioned and described in the said Schedule A upon trust to apply the same in or towards the erection of a new Synagogue building or buildings in manner and subject as aforesaid.

Application of proceeds of land on Church Hill in the event of exchange.

8. The said land and hereditaments mentioned and described in the Schedule D hereunder shall be held by the said Trustees upon trust as a site for the erection thereon of a new Synagogue building or buildings according to the directions of the Committee constituted by the said public meeting held on the thirteenth day of March one thousand eight hundred and seventy-one. And from and after the erection of such building or buildings and the consecration of the said new Synagogue the said land hereditaments and premises shall subject to the provisions of section six of this Act as to any School premises provided in connection therewith be held upon trust as a Synagogue for the members of the Jewish community of the Colony of New South Wales and for the performance of public worship therein by members of the Jewish faith subject to the direction and control and subject to the laws and regulations made from time to time by the Board of Management for the time-being of the said new Synagogue to be elected after the first election hereinafter provided for by the seatholders thereof in accordance with such laws and regulations the first Board of Management of the said new Synagogue for the current Jewish year to consist of a President Treasurer and eight Committee men elected by ballot and by a majority of votes by the subscribers of the Jewish faith to the said fund taken personally or by proxy at a public meeting to be convened three months prior to the consecration of the said Synagogue by fourteen days previous notice published in two Sydney newspapers such election to be made from the persons nominated for election to such Board of Management at a public meeting of the said subscribers to be held one month previous to the said meeting for election and to be convened by seven days previous notice in two Sydney newspapers and in taking the votes at such meeting for election every individual subscriber to the amount of one pound shall be entitled to a vote and every subscriber contributing to the amount of ten pounds shall be entitled to two votes and also to a further vote for every additional ten pounds contributed.

Trusts of land in Elizabeth and Castlereagh streets Sydney and of new Synagogue buildings.

9. All properties real and personal hereafter given devised or bequeathed to or for the said new Synagogue shall unless there be the expression of any contrary intention in the deed of gift will or other instrument giving devising or bequeathing the same or any provision therein inconsistent herewith be conveyed assigned or otherwise assured to the said Trustees and unless otherwise provided for by the said deed of gift will or other instrument shall be applied towards the erection of or the support or maintenance of the said new Synagogue according or subject to the direction of the said Board of

Trust of future properties given or bequeathed to Synagogue with power of sale.

Management

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Management and subject to any provisions in any deed will or instrument conveying assigning devising or bequeathing the same and so far as shall not be inconsistent with any such deed will or instrument it shall and may be lawful for the said Trustees at any time when required so to do by the said Committee and after the consecration of the said new Synagogue when required to do so by the Board of Management for the time-being of the said Synagogue elected as aforesaid to sell and dispose in manner hereinbefore mentioned of any such real or personal property or of any part or parts thereof with power to convey assign or otherwise assure the same when sold to the purchaser or purchasers thereof with the like full and discretionary powers upon the sale or sales of any such property as are hereby conferred as to the lands and hereditaments described in the Schedules A B and C hereunder with the like power to give receipts to any purchaser or purchasers which shall in like manner discharge him her or them for the purchase money payable and shall exonerate him her or them from seeing to the application or from liability for the misapplication or non-application thereof.

Appointment from
time to time of new
Trustees.

10. Whenever and so often as any one or more of the said Trustees or any Trustee appointed under the provisions of this Act shall die or resign his office of Trustee or shall go to reside out of the Colony of New South Wales or reside one hundred miles distant from Sydney for a period of twelve months it shall be lawful for the surviving or other continuing Trustees or Trustee or for the last retiring Trustee or for the acting executors or administrators of the last surviving or continuing Trustee by instrument in writing to appoint any person or persons nominated for the purpose by the said Committee and after the consecration of the said new Synagogue by the Board of Management for the time being of the said Synagogue to be a new Trustee or new Trustees in the place of the Trustee or Trustees so dying resigning going to reside out of the Colony or residing so distant from Sydney as aforesaid and so often as any new Trustee or Trustees shall be so appointed as aforesaid the trust premises which for the time-being shall be vested in the surviving or continuing Trustees or Trustee or the last retiring Trustee or the heirs executors or administrators of any such surviving or continuing Trustee shall by virtue of such appointment and without other assurance in the law become and be conveyed and transferred so that the same shall thereupon become and be legally and effectually vested in such new Trustee or Trustees either solely or jointly with the surviving or continuing Trustees or Trustee as the case may require and every new Trustee to be appointed as aforesaid shall have the like powers authorities and discretions and shall and may in all respects act as if he had been originally appointed a Trustee by this Act.

Construction of
word "Trustee."

11. Wherever the expression "the said Trustees" occurs or is used in this Act such expression shall be construed and taken to mean and include any Trustees of the said trust premises whether original or substituted.

Title of Act.

12. This Act may be cited as the "Jewish Synagogue and Schools Act of 1872."

SCHEDULES.

Jewish Synagogue and Schools.

SCHEDULES.

SCHEDULE A.

All that piece or parcel of land in the Colony of New South Wales containing by admeasurement sixteen and one quarter perches be the same more or less situated in the county of Cumberland parish of St. Philip and city of Sydney being allotment number twenty-five and part of number twenty-six on Church Hill commencing at the intersection of Charlotte-place with Princes-street and bounded on the south by Charlotte-place bearing west fifteen degrees south sixty-seven feet three inches on the west by a lane sixteen feet wide bearing north fifteen degrees west fifty-nine feet on the north by a line bearing east fifteen degrees north eighty-six feet three inches and on the east by the building-line of Princes-street sixty-two feet southerly to the commencing corner.

SCHEDULE B.

All that parcel of land situate in York-street in the parish of St. Andrews in the city of Sydney being lot C Commencing at the building-line of that street and bounded on the south by lot B bearing westerly ninety-six feet six inches to Market-row on the west by Market-row bearing northerly eighteen feet on the north by lot D being a line bearing easterly ninety-four feet eight inches to the building-line in York-street on the east by the said building-line in York-street bearing about south to the north-east corner of lot B eighteen feet which corner is the point of commencement And also all that parcel of land situate in York-street aforesaid being lots A and B according to a plan exhibited at the sale thereof containing eleven perches and one half of a perch bounded on the south by the property of Mr. Joseph Nobbs commencing at the building-line in York-street bearing according to the deed of grant west eleven degrees south one hundred feet six inches on the west by Market-row bearing north eleven degrees fifty minutes west thirty feet ten inches or twenty-nine feet two inches from the northern side of the wall on the north by lot C bearing east fourteen degrees forty-five minutes north ninety-six feet six inches to the building-line in York-street and on the east by the said building-line bearing according to the deed of grant south fifteen degrees fifteen minutes east thirty-eight feet six inches to the commencing point.

SCHEDULE C.

All that allotment or parcel of land in the Colony of New South Wales containing by admeasurement twenty-one perches situated in the town of Sydney parish of St. James and county of Cumberland allotment number five of section number forty-one and bounded on the east by the building line of Macquarie-street bearing north three degrees fifteen minutes west seventy-nine links on the north by allotment number six bearing west four degrees north one hundred and thirty-eight links on the west by allotments numbers twenty-five and twenty-six bearing south three degrees thirty minutes west eighteen and a quarter links then west thirty links then south three degrees thirty minutes west sixty-two links and on the south by allotment number four bearing east one hundred and seventy-six links being the allotment advertised in the name of Simon Lear as number six in the Government notice dated the tenth day of February one thousand eight hundred and forty less All that parcel of land being portion of the above-mentioned allotment bounded on the east by Macquarie-street commencing at the north-east corner of lot four and bearing north three degrees fifteen minutes west two feet ten inches on the north by a line bearing west one hundred and sixteen feet on the west by a line bearing southerly two feet ten inches to the north-west corner of the said lot number four and on the south by a line bearing east being the north boundary of lot four aforesaid one hundred and sixteen feet one inch to the point of commencement being the land conveyed to the said John Williams by the indenture of the eleventh day of January one thousand eight hundred and fifty-one hereinbefore mentioned.

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SCHEDULE D.

All that piece of land situated in the city of Sydney parish of St. James and county of Cumberland containing thirty-five perches or thereabouts Commencing on the western side of Elizabeth-street at the south-eastern corner of land of the Odd Fellows Society and bounded on the north by that land bearing westerly two hundred and twenty-eight links to Castlereagh-street On the west by that street bearing southerly ninety-six links to land of the late T. Flood on the south by that land bearing easterly two hundred and twenty-eight links to Elizabeth-street aforesaid and on the east by that street bearing northerly ninety-seven links to the point of commencement being allotment number fifteen of section thirty-three delineated on the public map of the said City deposited in the office of the Surveyor General originally granted to Thomas Taber the elder by Crown grant dated the twelfth day of July one thousand eight hundred and thirty-nine.

By Authority: THOMAS RICHARDS, Government Printer, Sydney, 1872.

[9d.]