

*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, 25th June, 1902. }*

JOHN J. CALVERT,  
*Clerk of the Parliaments.*

## New South Wales.



ANNO SECUNDO

## EDWARDI VII REGIS.

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An Act to provide for the vesting of certain lands in certain trustees; to enable such trustees to mortgage, sell, or lease the said lands for certain purposes, and to make provision for the application of the moneys so acquired; and for other purposes.

**W**HEREAS by an Act passed in the forty-fifth year of the reign Preamble.  
of Her late Majesty Queen Victoria, intituled the Presbyterian  
Church Property Management Act of 1881, provision is made for  
the election of trustees by every congregation under the spiritual  
superintendence of or in connection with the General Assembly of the  
Presbyterian Church of New South Wales, and for vesting in such  
trustees,



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trustees, together with certain other persons as ex officio trustees, all the real and personal estate belonging to or held in trust for such church or congregation: And whereas certain powers of sale and management are conferred upon the said elected and ex officio  
 5 trustees by the said Act: And whereas by another Act passed in the fifty-eighth year of the reign of Her late Majesty Queen Victoria, intituled the Presbyterian Church Property Management Amendment Act of 1894, trustees are empowered to hold, manage, and deal with  
 10 the Presbyterian Church of New South Wales generally, and also all real and personal property conveyed, demised, devised, or given to or in favour of the Presbyterian Church of New South Wales generally, or to any presbytery, congregation, or committee connected with the same church generally: And whereas by an Act passed in the sixty-  
 15 fourth year of the reign of Her late Majesty Queen Victoria, intituled the Presbyterian Church of Australia Act, 1900, it was provided that the Presbyterian Churches of New South Wales, Victoria, Queensland, South Australia, and Tasmania should unite and form one Presbyterian Church to be called the Presbyterian Church of Australia: And  
 20 whereas it is expedient that all the lands mentioned in Schedule A to this Act, and also all the lands now vested or hereafter to become vested in the said elected and ex officio trustees, or in any other person, in trust for the congregations named in Schedule B to this Act should, except as hereinafter appears, be vested in the persons hereinafter  
 25 mentioned for the Presbyterian Church generally, and that provision should be made as hereinafter appears for the sale, mortgaging, and management of the said lands, and for dealing therewith, and for the application of the rents, profits, and proceeds thereof: Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice  
 30 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. This Act may be cited as the "Presbyterian Church Property Management Amendment Act of 1902." Short title.

35 2. All the lands set forth in Schedule A to this Act, save and except those portions of the said lands resumed by the Government by notice in the Gazette of the eighteenth day of October, one thousand nine hundred and one, under and by virtue of the Public Works Act, 1900, and all claims against the Government for compensation due  
 40 from the Government in respect of the resumption of the said lands, and all lands now vested or hereafter becoming vested in any person in trust for or for the benefit of any of the congregations of the Presbyterian Church set forth in Schedule B to this Act shall, after the passing of this Act, without any further conveyance or transfer,  
 45 vest in the Moderator and the Clerk of the General Assembly, the  
Certain lands to vest in certain persons as trustees.  
 Chairman



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Chairman of the Treasurership Committee of the General Assembly, the Convener of the Sustentation Fund Committee of the General Assembly, and the Convener of the Church Property Law and Documents Committee of the General Assembly, and their successors  
 5 in office, as trustees: Provided that if any such land is subject to any mortgage, charge, or encumbrance it shall not vest in the said trustees until the mortgage, charge, or encumbrance has been discharged, or the said trustees by memorandum in writing undertake to answer any liability in respect of such mortgage, charge, or encumbrance, and  
 10 such vesting shall be without prejudice to the rights of the holder of any mortgage, charge, or encumbrance: Provided also that in the case of the lands resumed as set forth in this section, the compensation money in respect of the said lands shall stand charged with the amount of the guarantee given by certain members of the Pitt-street Church  
 15 to the Commercial Banking Company of Sydney, Limited, for moneys expended in the improvement of the said lands.

3. The said trustees may, with the consent of the General Assembly, mortgage or sell any land vested in them as aforesaid by public auction or private contract, either in one or several lots as they  
 20 shall deem most expedient, for such price as can be reasonably obtained for the same, and when sold to convey the same, or any part thereof, to the purchaser or his nominee; and thereupon the same shall vest in the purchaser thereof or his nominee, and his heirs, executors, administrators, and assigns, for the estate or interest of the said trustees  
 25 therein, absolutely freed and discharged from the trusts affecting the same; and the receipt in writing of the said trustees for the mortgage or purchase money of any land so mortgaged or sold as aforesaid shall absolutely discharge the mortgagee or purchaser, and shall exonerate him from seeing to the application of the said mortgage or purchase  
 30 money, and from all liability for the misapplication or non-application thereof, and shall be conclusive evidence that the said consent of the General Assembly to such mortgage or sale has been duly given as aforesaid.

Trustees may, with the consent of the General Assembly, mortgage and sell lands.

4. All moneys raised on mortgage as aforesaid, or obtained from  
 35 the sale of land as aforesaid, or paid by the Government as compensation in respect of the resumption of any of the said lands, shall, subject to the provisions of this Act and to the approval of the General Assembly, be applied by the said trustees in the purchase of other land as a site for a church or a minister's dwelling-house, or a building for the  
 40 purpose of religious instruction, or for the erection, alteration, or maintenance of any church, minister's dwelling-house, or building, or for such other purpose in connection with the advancement of the Presbyterian Church as the said trustees, with the consent of the General Assembly, may determine.

Application of moneys arising from mortgage or sale of lands.



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5. The said trustees may by writing lease any of the land vested in them as aforesaid for any period not exceeding fifty years from the time of making the same, reserving in every such lease the best rent that can reasonably be obtained for the same. The moneys received by the said trustees under any such lease shall be applied by them for such religious or educational purpose in connection with the Presbyterian Church as they, with the consent of the General Assembly, may determine.

Trustees may lease lands; and the moneys received therefrom shall be applied by them for certain purposes with the consent of the General Assembly.

6. In this Act—  
 10 “Presbyterian Church” means the Presbyterian Church of Australia in the State of New South Wales.  
 “General Assembly” means the General Assembly of the Presbyterian Church.

Interpretation of terms.

## SCHEDULES.

## SCHEDULE A.

15 All that piece or parcel of land containing by admeasurement one rood eight and a quarter perches, or thereabouts, situated at Sydney, in the parish of Saint Phillip, county of Cumberland, and State of New South Wales, be the hereinafter several dimensions a little more or less: Commencing at the intersection of the north-east side of York-street  
 20 with the north-western side of Margaret-lane; and bounded thence towards the south-east by that lane; bearing north seventy-nine degrees forty-seven minutes and twenty-five seconds east one hundred and eleven feet two and a half inches; thence towards the north-east by a fenced line bearing north seven degrees twenty-five minutes west fifty-nine feet five and three-eighths inches; thence towards the north-west by a line bearing south  
 25 eighty-two degrees fifteen minutes forty-five seconds west two feet ten and three-quarter inches; thence again towards the north-east by a line bearing north seven degrees forty-three minutes fifteen seconds west forty-five feet ten and a half inches to Jamieson-street; thence towards the north generally by that street bearing south eighty-two degrees three minutes forty-five seconds west sixty feet six and a quarter inches, a  
 30 curved wall twenty-four feet eight and three-quarter inches, another wall bearing south seventy-one degrees twenty minutes forty-five seconds west nineteen feet seven inches; thence towards the south-west by a wall bearing south twenty degrees fifty-seven minutes twenty seconds east two feet three and a half inches; thence again towards the north-west by a wall bearing south sixty-seven degrees fifty-eight minutes forty-five seconds west  
 35 sixteen feet two and a half inches, and a curved wall seventeen feet seven and three-quarter inches; thence towards the south-west by York-street aforesaid bearing south fifteen degrees thirty-six minutes fifty-five seconds east one hundred and one feet six and three-quarter inches, to the point of commencement: Also, all that piece or  
 40 parcel of land in the State of New South Wales, containing by admeasurement thirty-three and a half perches, be the same more or less, situated in the county of Cumberland and parish of Saint Lawrence, city of Sydney; bounded on the west by Pitt-street being a line bearing south four degrees west one hundred and fifty links; on the south by a line bearing east four degrees south one hundred and forty links; on the east by a line bearing north four degrees east one hundred and fifty-two links to Hay-street; and on  
 45 the north by that street being a line bearing west three degrees north one hundred and forty-one links,—advertised as number one in the Government notice dated first day of October, one thousand eight hundred and forty-two: Also, all that piece or parcel of land



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land in the State of New South Wales, containing by admeasurement eleven perches and four-fifths of a perch, be the same more or less, situated in the county of Cumberland and parish of Saint Lawrence, city of Sydney; bounded on the west by the building-line of Pitt-street, being a line bearing southerly, commencing at the south-west corner of

5 the allotment granted to the Presbyterian Church, fifty-three links, on the south by a line bearing easterly at right angles to the last line one hundred and forty links; on the east by a line bearing northerly parallel to the building-line of Pitt-street fifty-three links; and from thence on the north to the point of commencement; by the Presbyterian Church allotment being a line bearing westerly one hundred and forty links,—advertised as

10 number nineteen in the Government notice dated sixth day of June, one thousand eight hundred and forty-three: Also all that piece or parcel of land in the State of New South Wales, containing by admeasurement fifteen perches, be the same more or less, situated in the county of Cumberland and parish of Saint Lawrence, city of Sydney; bounded on the north by the present site for the Presbyterian School one chain forty links; on the

15 west by Pitt-street sixty-eight links; on the south by a line bearing east three degrees fifteen minutes south one chain forty links; and on the east by a line bearing north three degrees fifteen minutes east sixty-eight links to the south-east corner of the present site for the Presbyterian School aforesaid,—advertised as number forty-six in the Government notice dated twelfth day of June, one thousand eight hundred and forty-six: Also,

20 all that piece or parcel of land in the State of New South Wales, containing by admeasurement eleven and three-quarter perches, be the same more or less, situated in the county of Cumberland and parish of Saint Lawrence, city of Sydney; bounded on the east by Pitt-street: Commencing at the north-eastern corner of the Government paddock opposite the Presbyterian Chapel, bearing south three degrees fifteen minutes

25 west fifty-three links; on the south by a line bearing north eighty-six degrees forty-five minutes west one hundred and thirty-eight links; on the west by a line bearing north three degrees fifteen minutes east fifty-three links; and on the north by a line bearing south eighty-six degrees forty-five minutes east one hundred and thirty-eight links,—advertised as number two in the Government notice dated first day of October, one thousand eight

30 hundred and forty-two: Also, all that piece or parcel of land in the State of New South Wales, containing by admeasurement thirty-three perches and three-quarters of a perch, be the same more or less, situated in the county of Cumberland and parish of Saint Andrew, city of Sydney, part of allotment nine of section nineteen: Commencing on the eastern building line of Kent-street, at a point where the southern boundary line of

35 allotment eight meets that building line; and bounded thence on the west by that building line southerly seventy-three feet; on the south by the northern boundary of that portion of allotment nine, appropriated for a Presbyterian school easterly fifty-five feet and one inch; again on the west by part of the eastern boundary-fence of the school appropriation aforesaid southerly six feet and five inches; again on the south by the

40 northern boundary line of allotment ten, granted for Baptist Church and school purposes, bearing east eleven degrees thirty-seven minutes north sixty-nine feet and eight inches to Clarence-street; on the east by that street bearing north eleven degrees forty-three minutes west seventy feet and one inch to the southern boundary wall of the Old Burial Ground; on the north by the southern side of that wall bearing west five degrees

45 thirty-eight minutes south forty-one feet and nine inches; again on the east by part of the western boundary wall of that burial ground bearing north twelve degrees twenty minutes west eight feet and three inches; and again on the north by the southern boundary line of allotment eight aforesaid bearing west fifteen degrees forty-five minutes south eighty-seven feet and eight inches, to the point of commencement: Also, all that

50 piece or parcel of land in the State of New South Wales, containing by admeasurement eleven perches, be the same more or less, situated in the county of Cumberland, and parish of Saint Andrew, city of Sydney, part of allotment nine of section nineteen: Commencing on the eastern building line of Kent-street, at the south-western corner of that portion of allotment nine appropriated for a Presbyterian Church; and bounded

55 thence on the west by that building line southerly sixty feet and eleven inches; on the south by the northern boundary line of allotment eleven bearing east fourteen degrees thirty minutes west forty-four feet; on the east by part of a western boundary fence of allotment



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allotment ten, appropriated for Baptist Church and school purposes bearing north three degrees fifty-five minutes west fifty-six feet eight inches; thence by its continuation forming part of the western boundary fence of allotment nine aforesaid, appropriated for a Presbyterian Church, northerly six feet and five inches; and on the north by a  
5 southern boundary of that portion of allotment nine aforesaid appropriated for a Presbyterian Church westerly fifty-five feet and one inch, to the point of commencement: Also, all that piece or parcel of land in the State of New South Wales, containing by admeasurement fourteen and a half perches, be the same more or less, situated in the county of Cumberland, and parish of Alexandria, city of Sydney: Commencing at the  
10 intersection of the northern building line of Burton-street with the western building line of Brougham-street; and bounded thence on the east by the western building line of Brougham-street bearing north one degree five minutes east fifty-eight and a quarter links; on the north and west by lines dividing it from B. M. Harris' property, bearing west one degree seventeen minutes north one chain forty-nine links; and thence south  
15 twelve degrees three minutes west sixty and a half links to the northern building line of Burton-street aforesaid; and on the south by that building line bearing east fifty-two minutes south one chain sixty and a half links, to the point of commencement: Also, all that piece or parcel of land, containing by admeasurement twenty-six and a half perches, situate on the east side of Phillip-street, in the city of Sydney, and State of  
20 New South Wales: Commencing at the north-west angle of an allotment belonging to John Kellick; and bounded on the south by that allotment, being a line bearing east two degrees north one hundred and seventy-three links; on the east by a line bearing north one degree west twenty-eight links, and a line north three degrees thirty minutes east sixty-two links; on the north by a line bearing west one degree north one hundred and eighty-  
25 six links; and on the west by the east side of Phillip-street, being a line bearing south three degrees thirty minutes east ninety-seven and a quarter links, to the commencing point,—being the land comprised in a grant from the Crown to James Wild (since deceased) in fee, dated the twenty-ninth day of February, one thousand eight hundred and forty, and therein described as allotment number twenty-six of section number  
30 forty-one, as advertised in the Government notice dated twenty-sixth day of October, one thousand eight hundred and thirty-nine: Also, all that parcel of land containing twenty-four and a quarter perches, more or less, situate lying and being in the parish of Alexandria, in the county of Cumberland, and State of New South Wales; and bounded on the north by the south side of Stanley-street, commencing at the point of intersection  
35 of the south side of Stanley-street with the east side of Palmer-street, being a line bearing east one degree fourteen minutes south one hundred and ten feet; on the east by the west side of another portion of the block hereinafter mentioned, being a line bearing south one degree fourteen minutes west sixty-six feet to other land belonging to George Preddey; on the south by the north side of that land, being a line running through  
40 the centre of the party wall hereinafter mentioned, bearing west one degree fourteen minutes north one hundred and ten feet to Palmer-street; and on the west by the east side of Palmer-street; being a line bearing north one degree fourteen minutes east sixty-six feet, to the point of commencement,—being a portion of Block A number seven of that part of the Riley Estate known as the Woolloomooloo Estate, and appropriated to  
45 one James John Riley: Also, all that allotment or parcel of land, being a portion of Block C number eight of the Riley Estate, Woolloomooloo, in the State of New South Wales, containing eleven perches, more or less, bounded on the east by the west side of Palmer-street: Commencing at a point distant sixty-seven feet northerly from the junction thereof with the north side of a lane (sixteen feet wide) running in the rear of  
50 the allotments fronting Liverpool-street, and bearing northerly thirty feet; on the north by a line bearing westerly at right angles to Palmer-street ninety-seven feet seven inches; on the west by the east side of a back entrance (sixteen feet wide) bearing southerly thirty feet; and on the south by a line bearing easterly ninety-seven feet seven inches to the point of commencement: Also, all that piece or parcel of land situated and  
55 being in the city of Sydney, parish of Saint Lawrence, county of Cumberland, and State of New South Wales, and being allotments numbers one and two of section five of a subdivision of the Cleveland Estate, as shown on a plan thereof exhibited at time of  
sale;



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- sale; and commencing at a point on the east side of Upper Castlereagh-street, at its junction with the north side of Bedford-street; and bounded on the west by said first-named street by a line bearing north sixty feet; on the north by a line bearing east ninety-three feet to a reserved lane twenty feet wide; on the east by said reserved lane bearing south sixty feet to its junction with Bedford-street; and on the south by a line bearing west ninety-three feet along the north side of Bedford-street, to the point of commencement: Also, all that piece or parcel of land situate and lying in the parish of Saint Andrew, city of Sydney, in the county of Cumberland, State of New South Wales, and be the hereinafter dimensions all more or less, being portion of block number thirty-one of the subdivision of the Ultimo Estate: Commencing at the intersection of Quarry-street with Crown-road; and bounded on the north-west by said Quarry-street bearing north-easterly one hundred and ten feet; on the north-east by a line bearing south-easterly one hundred and ninety-eight feet; on the south-east by a line bearing south-westerly one hundred and ten feet to Crown-road; and on the south-west by that road bearing north-westerly one hundred and ninety-eight feet, to the point of commencement: Also, all that piece or parcel of land situate in the city of Sydney, in the State of New South Wales, being part of Block F number two of that part of the Riley Estate known as the Surry Hills Estate, containing by admeasurement sixteen and one quarter perches, more or less; bounded on the west by Riley-street, commencing at a point on the east side thereof distant eighty-four feet southerly from the south side of Riley-place, and bearing south one degree fifteen minutes west sixty feet; on the south by a line dividing it from an allotment conveyed to Edward Craddock bearing east one degree fifteen minutes south seventy-four feet; on the east by the west side of a back entrance (fourteen feet wide) bearing north one degree fifteen minutes east sixty feet; and on the north by a line dividing it from an allotment conveyed to John Jones bearing west one degree fifteen minutes north seventy-four feet, to the point of commencement: And, also, all that piece or parcel of land in the State of New South Wales, containing by admeasurement thirty-one perches, be the same more or less, situated in the county of Cumberland and parish of Saint Phillip, city of Sydney, allotment number three of section number ninety-eight, bounded on the south by the north boundary of the site of the school in connection with the Church of England, being one hundred and eighty-nine links; on the west, by Lower Fort street one chain forty-two and a half links; on the north by a line parallel to the south boundary, being one chain thirty-five links; and on the east by Fort-street one chain twenty-three links,—advertised as number fifty in the Government notice dated the twenty-fifth day of August, one thousand eight hundred and forty-seven.

## SCHEDULE B.

- 40 Scots' Church, Sydney.  
Pitt-street, Sydney.  
Saint Andrew's, Sydney.  
Saint Stephen's, Sydney.  
Palmer-street, Woolloomooloo, Sydney.  
Chalmer's Church, Sydney.  
Pymont, Sydney.  
Riley-street, Sydney.



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