

An Act to enable the Trustees of certain Lands granted by Her Majesty's Government upon Trust for the erection of a Church and School House under the superintendence of "The Synod of Australia in connection with the Established Church of Scotland" to sell the said Lands and to purchase other Land in a more suitable situation in lieu thereof.  
 [14th August, 1855.]

PRESBYTERIAN  
 CHURCH TRUSTEES.

**W**HIEREAS by a deed of grant bearing date the third day of Preamble.  
 November one thousand eight hundred and fifty-four Her Majesty Queen Victoria did grant unto Thomas Barker John Alexander Grant 3 November 1854.  
 John McFarlane the Reverend John McGibbon and George Cunningham all of the city of Sydney being respectively Trustees nominated and appointed under and by virtue of an Act of the Governor and Legislative Council of New South Wales made and passed in the eighth year of the reign of His late Majesty King William the Fourth 8 Wm. IV. No. 7.  
 intituled "*An Act to regulate the Temporal Affairs of the Presbyterian Churches and Chapels connected with the Church of Scotland in the Colony of New South Wales*" and to their heirs and assigns all that parcel of land containing by admeasurement two roods and fourteen perches be the same more or less situated in the county of Cumberland parish of Alexandria and city of Sydney commencing at the northern intersection of Victoria and Surry Streets and bounded on the west by Victoria-street bearing northerly three chains and eighty-one links to Hyndes' grant on the north-east by that grant bearing south-easterly four chains ninety-one links to Surry-street and on the south

*Presbyterian Church Trustees.*

south by Surry-street bearing westerly three chains and ten links to Victoria-street at the point of commencement upon trust for the erection thereon of a church under the superintendence of the Synod of Australia in connection with the Established Church of Scotland in conformity with the provisions of the said Act and of a certain other Act of the Governor and Legislative Council made and passed in the seventh year of the reign of His said late Majesty King William the Fourth and numbered three so far as the same may apply to the said trusts and for no other purpose whatsoever And whereas by a certain other deed of grant bearing date the said third day of November Her Majesty did grant to the said Thomas Barker John Alexander John McFarlane John McGibbon and George Cunningham all that other parcel of land containing by admeasurement one rood and four perches be the same more or less situate in the county parish and city aforesaid commencing at the south-west corner of Thomas Holmes' four perches and one-sixth of a perch and bounded on the west by Victoria-street bearing southerly two chains and sixty-five links to a reserved road twelve feet wide dividing it from Hyndes' grant on the south-east by that reserved road two chains and thirty links to the Craigend Estate on the north-east by that land bearing north-westerly one chain sixty-one links to Thomas Holmes' four perches and one-sixth of a perch and on the north by that land bearing westerly sixty-four and a half links to the point of commencement in Victoria-street upon trust for the erection of a school house under the superintendence of the said Synod of Australia and for no other purpose whatsoever And whereas the said parcels of land respectively are inconveniently situated and ineligible for the purposes of the said trusts and it is deemed expedient to sell the said lands and to purchase other land in a more suitable situation Be it therefore enacted by His Excellency the Governor of New South Wales by and with the advice and consent of the Legislative Council thereof as follows—

Power to sell and convey the lands.

1. It shall be lawful for the said Thomas Barker John Alexander John McFarlane John McGibbon and George Cunningham or the Trustees for the time being of the said lands to sell and dispose of the said two several parcels of land by public auction or private contract and either in one lot or in several lots as the said Trustees shall think most expedient for such price or prices as can be reasonably had or obtained for the same and when sold to convey the same or any part or parts thereof to the purchaser or purchasers thereof and thereupon the same shall vest absolutely in the said purchaser or purchasers his or their heirs and assigns freed and discharged from the said trusts affecting the same.

Proceeds of sale to be paid into the hands of the Colonial Treasurer.

2. The moneys to arise from the sale of the said land shall be paid into the hands of the Colonial Treasurer to the credit of the said Trustees for the time being and the receipt of the Colonial Treasurer shall be a sufficient discharge to the purchaser or purchasers of the said land or any part or parts thereof and shall wholly exonerate him or them from seeing to the application thereof and from all liability as to the misapplication or nonapplication thereof.

Power to purchase other land and to appropriate money.

3. It shall be lawful for the said Thomas Barker John Alexander John McFarlane John McGibbon and George Cunningham or the Trustees for the time being of the said lands to purchase or to accept a grant of land in the city of Sydney for the purposes of the said trusts respectively and to appropriate the proceeds of the sale of the said lands in the purchase of such other land and in the erection thereon of a church and school house and other buildings if required in connection therewith and the drafts of the said Trustees or any three of them purporting on the face of them to be for either of such purposes

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*Sydney Insurance Company.*

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purposes and to be drawn by the said Trustees as such Trustees shall be a sufficient discharge to the said Colonial Treasurer for all such sum or sums of money as shall be therein mentioned and as shall have been paid in pursuance thereof and the said Colonial Treasurer shall not be responsible in respect of any misapplication or nonapplication of any money so paid by him upon any such draft.

4. The land to be purchased or granted as aforesaid and the church and school house and other buildings when built or erected shall be vested in the said Thomas Barker John Alexander John McFarlane John McGibbon and George Cunningham or other the Trustees for the time being of the said land upon the same trusts mentioned and expressed in the said deeds of grant respectively.

Land to be purchased  
to be vested in trustees.

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