

An Act to regulate the temporal affairs of the
Presbyterian Church in the Colony of New
South Wales. [12th May, 1865.]

PRESBYTERIAN
CHURCH.

WHEREAS by an Act of Council passed in the eighth year of ^{Preamble.}
the reign of His late Majesty King William the Fourth number
seven certain powers privileges and advantages were conferred upon ^{8 Will. 4 No. 7.}
the Presbytery of New South Wales and the Ministers of the Churches
and Congregations under its spiritual superintendence And whereas
by an Act of Council passed in the fourth year of the reign of Her ^{4 Vic. No. 18.}
Majesty Queen Victoria number eighteen the several powers privileges
and advantages conferred upon the Presbytery of New South Wales
and the Ministers of the Congregations under its spiritual superin-
tendence by the said Act eighth William the Fourth number seven
were vested in the Synod of Australia in connection with the Established
Church of Scotland and the Ministers of the Congregations under its
spiritual superintendence as fully and effectually to all intents and
purposes as if the said Synod had been specially named and mentioned
therein And whereas since the formation of the said Synod of
Australia another Presbyterian Synod has been formed in the said
Colony known as the General Synod of the Presbyterian Church in
New South Wales consisting of certain Ministers and representative
ruling Elders of certain Congregations of Presbyterians the Ministers
and ruling Elders of such Congregations not being under the spiritual
superintendence of nor having any ecclesiastical connection with the
said Synod of Australia And whereas there is a Congregation of
Presbyterians assembling in Phillip-street in the city of Sydney known
as "The United Presbyterian Church in Sydney" which is not under
the spiritual superintendence of nor has any ecclesiastical connection
with the said two Synods or either of them And whereas the said
two

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two Synods and the said United Presbyterian Church in Sydney and the Minister thereof have agreed to unite together and form one Church to be called "The Presbyterian Church of New South Wales" and also to form in accordance with Presbyterian usage a supreme governing body for the said Church to be called "The General Assembly of the Presbyterian Church of New South Wales" And whereas the said agreement cannot be fully carried into effect without amending the said recited Act fourth Victoria number eighteen in manner hereinafter provided 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:—

Powers and privileges of Synod of Australia transferred to the General Assembly of the Presbyterian Church of New South Wales.

1. From and after the publication in the New South Wales *Government Gazette* of a notice that the said Presbyterian Church of New South Wales and the said General Assembly of the Presbyterian Church of New South Wales have been respectively formed such notice to be signed on behalf of the Synod of Australia and of the said General Synod of the Presbyterian Church in New South Wales respectively by the persons who shall at the time of the formation of the said Church and General Assembly hold the office of Moderator of the said Synods respectively and on behalf of the said United Presbyterian Church in Sydney by the Minister of the said Church for the time being all and every the several powers privileges and advantages which are now vested in and belong to the said Synod of Australia in connection with the Established Church of Scotland and the Ministers and Congregations under its spiritual superintendence under and by virtue of the hereinbefore recited Act fourth Victoria number eighteen shall be transferred from the said Synod of Australia to the said General Assembly of the Presbyterian Church of New South Wales and shall vest in and belong to the said General Assembly with respect to all the Ministers and Congregations comprehended in the same and under the spiritual superintendence thereof as fully and effectually to all intents and purposes as if the said Presbyterian Church of New South Wales and the General Assembly of the said Church had been named and mentioned in the said recited Act and had been invested with all and the like powers privileges and advantages thereby conferred on the said Synod of Australia in connection with the Established Church of Scotland And thereupon all and every the estate right title and interest in all churches and chapels and Ministers' dwellings and the sites of the same respectively and in all burial grounds and glebe lands and in all other lands and premises which at the time of the passing of this Act are held by any Trustee or Trustees for or on behalf of any Ministers or Congregations as Ministers or Congregations under the spiritual superintendence of or in connection with the said Synod of Australia or which are held for or on behalf of or are used by any Congregations of Presbyterians which at the time of the passing of this Act shall be under the spiritual superintendence of or in connection with the said General Synod of the Presbyterian Church in New South Wales or for or on behalf of the United Presbyterian Church in Sydney or the Minister thereof shall continue to be held by the same Trustee or Trustees and his and their lawful successors subject to the powers provisoes and declarations now affecting the same on behalf of the same Ministers and Congregations and their successors as Ministers and Congregations under the spiritual superintendence of or in connection with the said General Assembly of the Presbyterian Church of New South Wales as fully and effectually in all respects as if the said lands and premises had been granted and conveyed to such Trustee or Trustees upon trust for the use of the said Ministers and Congregations as Ministers and Congregations

Churches &c. to be held in connection with the General Assembly of the Presbyterian Church of New South Wales.

Rogers' Settlement.

Congregations under the spiritual superintendence of or in connection with the said General Assembly subject to and in conformity with this and the said recited Acts and for no other trust or purpose whatsoever.

2. Any Minister recognized by the said General Assembly of the Presbyterian Church of New South Wales as a Minister of the said Church shall be capable of being the Minister of any Congregation under the spiritual superintendence of or in connection with the said General Assembly and to officiate in and be the Minister of any Church used in connection therewith any declaration or provision in any grant or other deed relating to the lands hereditaments and premises held in trust for such Congregation to the contrary notwithstanding.

Ministers recognized by the General Assembly may be Ministers of any Church or Congregation in connection therewith.

3. Nothing in this Act contained or that may be done under this Act shall be deemed prejudicially to affect or to deprive any person of any right privilege advantage or emolument whatsoever which he now has or to which he is in anywise entitled any law to the contrary notwithstanding.

Act not to affect any existing rights.

4. This Act shall be styled and may be cited as "The Presbyterian Church Act of 1865."

Short title.