

*St. John's (Parramatta) Glebe Land Leasing Ordinance 1942.*

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No. 1, 1942.

AN ORDINANCE to authorise the leasing of certain land situated in the City of Parramatta and to provide for the application of the rents and profits thereof.

WHEREAS by Deed Poll or Grant from the Crown bearing date the 19th day of September 1842 under the hand of His Excellency Sir George Gipps Knight Governor for the time being of the Territory of New South Wales and under the Seal of the said Territory Her Most Gracious Majesty Queen Victoria did grant unto the Right Reverend William Grant Broughton D.D. Bishop of Australia or the Bishop of Australia for the time being the Reverend Henry Hodgkinson Bobart John Blaxland Hannibal Hawkins Macarthur and John Betts (being respectively Trustees nominated and appointed under and by virtue of an Act of the Governor and Legislative Council of the said Territory made and passed in the 8th year of the reign of His late Majesty King William the Fourth intituled "An Act to regulate the temporal affairs of Churches and Chapels of the United Church of England and Ireland in New South Wales") and to their heirs and assigns certain lands and hereditaments of which the land firstly and secondly described in the Schedule hereunder written forms part To hold unto the said Bishop of Australia or the Bishop of Australia for the time being the Reverend Henry Hodgkinson Bobart John Blaxland Hannibal Hawkins Macarthur and John Betts and to their heirs and assigns upon trust for the appropriation thereof as the Glebe annexed to the United Church of England and Ireland as by law established erected at Parramatta and known as "St. John's" in conformity with the provisions of the said Act and of a certain other Act of the Governor and Legislative Council of the said Territory made and passed in the 7th year of the reign of His late Majesty King William the Fourth intituled "An Act to promote the building of Churches and Chapels and to provide for the maintenance of Ministers of Religion in New South Wales" so far as the same might apply to the trusts of the said Grant and for no other purpose whatsoever.

AND WHEREAS by a further Deed Poll or Grant from the Crown bearing date the 1st day of May 1849 under the hand of His Excellency Sir Charles Augustus Fitz Roy Knight Governor

for the time being of the said Territory of New South Wales and under the seal of the said Territory Her Most Gracious Majesty Queen Victoria did grant unto William Grant Broughton the Lord Bishop of Sydney and his successors Bishops of Sydney for ever Henry Hodgkinson Bobart Francis Watkins and Arthur Blaxland (being respectively Trustees nominated and appointed under the Act firstly abovementioned) and to their heirs and assigns certain other lands and hereditaments of which the piece of land thirdly described in the said Schedule forms part To hold unto the said last mentioned Trustees their heirs and assigns upon the same trusts and subject to the same conditions reservations and provisos as are contained in the firstly recited Crown Grant.

AND WHEREAS by three Indentures of Lease dated the 23rd September 1876 and registered respectively as No. 965 Book 163, No. 967 Book 163 and No. 972 Book 163 made between the Bishop of Sydney Richard Harper George Langley Walter Brown and Henry Byrnes the then Trustees of St. John's Glebe, Parramatta, of the one part and Charles Bent of the other part, the respective lands described in the Schedule hereto (inter alia) were demised unto the said Charles Bent from the 9th September 1876 for the term of 99 years at the rents and subject to the covenants therein mentioned. AND WHEREAS certain sub-leases were created over the said lands by the said Charles Bent or by his assignees. AND WHEREAS by divers assignments and ultimately by an Indenture dated the 24th day of August 1892 registered as No. 498 Book 191 the said recited leases became vested in one Miriam Sally Emily Hayden for all the residue then unexpired of the said term of 99 years subject to the abovementioned sub-leases. AND WHEREAS the said Miriam Sally Emily Hayden made default in the payment of the rents reserved by the three said recited head leases and in or about the year 1906 the Trustees for the time being of St. John's Glebe, Parramatta, duly exercised their right of re-entry in respect of the whole of the said lands whereby the said sub-leases were destroyed. AND WHEREAS from and after the date of such re-entry rents for the said lands have nevertheless been paid to the Trustees from time to time by the said sub-lessees or the persons claiming to be their successors in title. AND WHEREAS it is expedient that new leases should be granted in respect of such lands for terms expiring not later than 9th September 1975. AND WHEREAS the present Trustees of the said land are the Most Reverend Howard West Kilvinton Mowl Arch-bishop of Sydney William August Miller Harry James Granger

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Cecil Alexander Buckingham Champion and Stanley Thomas Moxham. Now the Standing Committee of the Synod of the Diocese of Sydney in the name and place of the said Synod ordains and declares as follows:—

1. That it is expedient to grant leases of the land described in the Schedule hereto.

2. The said lands described in the Schedule hereto or any portion thereof may at any time hereafter and from time to time be demised or leased for such terms expiring not later than the 9th September 1975 and at such rents and subject to such terms covenants and conditions as the Trustees may determine.

3. The rents to be derived from the leases to be granted in pursuance of this Ordinance after payment thereof of the expenses of and incidental to this Ordinance and the said leases and all other necessary outgoings shall be applied by the Trustees in the same manner and for the same purposes as they have heretofore been lawfully applied.

4. This Ordinance shall be read subject to the provisions of the "St. John's Parramatta Land Sale Ordinance 1931."

5. This Ordinance may be styled or cited as St. John's (Parramatta) Glebe Land Leasing Ordinance 1942.

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THE SCHEDULE.

All those pieces of land situated in the City of Parramatta Parish of St. John County of Cumberland being portion of St. John's Glebe and being—

Firstly, Lots 6, 7, 8 and 10 of Bent's subdivision of allotments 1, 2 and 3 of Block 1A having frontages to the Great Western Road and Campbell Street Parramatta and being part of the land comprised in Lease Registered No. 965 Book 163.

Secondly, Lots 1 and 2 of Bent's subdivision of allotments 5 and 6 of Block 1A having frontages to the Great Western Road and Campbell Street and being part of the land comprised in Lease Registered No. 967 Book 163.

Thirdly, Lots 3, 4, 5 and 6 of Bent's subdivision of allotments 7 and 8 of Block B and being part of the land comprised in Lease Registered No. 972 Book 163.

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I certify that the Ordinance as printed is in accordance with the Ordinance as reported.

R. C. ATKINSON,

Chairman of Committees.

I certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney this 31st day of August, 1942.

H. V. ARCHINAL,

Diocesan Secretary.

I assent to this Ordinance.

HOWARD, SYDNEY.

2nd September, 1942.