

An Act to enable the Trustees of certain Lands at the Surry Hills granted upon Trust for the erection thereon of a Church Parsonage and School-house in connection with the Church of England to sell the said Lands and to apply the proceeds thereof in or towards the purchase of other Lands more eligibly situated and the erection or completion of a Church Parsonage and School-house in the same District. [13th December, 1855.]

Preamble.

WHEREAS by three several grants dated respectively the twenty-seventh day of October one thousand eight hundred and fifty-five the pieces of land described respectively in Schedules A B and C hereto were granted by the Crown in fee to Henry Lumsdaine Frederick Charles Ede and George Henry Rowley upon trust in manner therein respectively mentioned—as to the land in Schedule A for the erection thereon of a church of the United Church of England and Ireland as by law established—and as to the land in Schedule B for the erection thereon of a school-house in connection with the same United Church—and as to the land in Schedule C for the appropriation thereof as the site of a dwelling-house garden and other appurtenances for the clergyman duly appointed to officiate in the church hereinafter mentioned And whereas the said three several pieces of land are situated in the parish of Alexandria and in the district of the Surry Hills and a church of the said United Church called and known as Saint Michael's is already in course of erection for the said district upon a more eligible site which has been purchased by means of a donation given by James John Riley Esquire and whereas the pieces of land in the Schedules B and C are not eligibly situated for the purpose of erecting thereon respectively a school-house and clergyman's residence 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 Henry Lumsdaine Frederick Charles Ede and George Henry Rowley or the survivors or survivor of them (hereinafter styled "The Trustees") to sell and dispose of the said several lands or any of them or any part thereof respectively by public auction or private contract in one lot or in several lots and subject to any conditions or stipulations as to title or otherwise with full power to the Trustees to buy in any lot at any auction and to rescind or vary any contract for sale and to re-sell the land so bought in or comprised in any such contract without being answerable for any difference or loss thereby occasioned and to convey the land so sold to
the

Surry Hills Church and School Site.

the purchaser thereof or as he shall direct and upon the execution of any such conveyance the land and hereditaments therein comprised with their appurtenances shall vest absolutely according to the limitations therein expressed freed and discharged from the trusts now subsisting.

2. All purchase money to arise from any such sale shall be paid to the Colonial Treasurer to the credit of the Trustees and every receipt given by the Colonial Treasurer to any purchaser in respect of his purchase money shall be a sufficient discharge for the amount therein specified and shall exonerate such purchaser from all liability as to the application thereof.

Proceeds of sale to be paid to Colonial Treasurer.

3. It shall be lawful for the Trustees to appropriate the net proceeds of any and every such sale as follows namely as to the net proceeds of any sale of the land in Schedule A in or towards completing the said church called St. Michael's and as to the net proceeds of any sale of the lands in Schedules B and C respectively in the purchase of other lands to be held upon the like trusts respectively and in or towards erecting thereon respectively a school-house and clergyman's residence and it shall be lawful for the Trustees to defray out of any such purchase moneys all reasonable expenses of and about the obtaining of this Act and the execution of the trusts and the drafts of the Trustees or any two of them purporting to be for any such purpose shall be a sufficient discharge to the Colonial Treasurer for every sum therein respectively mentioned and paid by him in pursuance thereof respectively and the Colonial Treasurer shall not be responsible in respect of the application of any money so paid by him upon any such draft.

Mode of appropriating proceeds.

SCHEDULES.

A.

All that piece or parcel of land in the territory of New South Wales containing by admeasurement one acre be the same more or less situated in the county of Cumberland and parish of Alexandria at the Surry Hills city of Sydney allotment number one of section number three commencing at the south-east intersection of Dowling-street with Albion-street and bounded on the west by the east side of Dowling-street bearing south sixteen minutes west two chains thirteen links and one half link on the south by the north boundary of the parsonage allotment and its easterly prolongation being a line in all bearing east sixteen minutes south four chains eighty-one links to Selwyn-street on the east by the west side of Selwyn-street bearing north two chains six links to Albion-street and on the north by the south side of Albion-street bearing west one degree five minutes north four chains eighty links to its intersection with Dowling-street aforesaid.

B.

All that piece or parcel of land in the territory aforesaid containing by admeasurement two rods be the same more or less situated in the county of Cumberland and parish of Alexandria at the Surry Hills city of Sydney allotment number one of section number two commencing at the north-east intersection of Dowling-street with Albion-street and bounded on the west by the east side of Dowling-street bearing north sixteen minutes east two chains eighteen links on the north by a line bearing east sixteen minutes south two chains twenty-eight links to a lane twenty-five links wide on the east by the west side of that lane bearing south sixteen minutes west two chains twenty-one links and one half link to the north side of Albion-street and on the south by that street bearing west one degree five minutes north two chains twenty-nine links to its intersection with Dowling-street aforesaid.

C.

Pyrmont Bridge Company.

C.

All that piece or parcel of land in the territory aforesaid containing by admeasurement two roods be the same more or less situated in the county of Cumberland and parish of Alexandria at the Surry Hills city of Sydney allotment number two of section number three commencing on the east side of Dowling-street at the south-west corner of the Church of England church allotment and bounded on the west by Dowling-street bearing south sixteen minutes west one chain fifty-three links on the south by a line bearing east sixteen minutes south three chains thirty links on the east by a line bearing north sixteen minutes east one chain fifty-three links to the south boundary of the church allotment and on the north by part of that boundary line bearing west sixteen minutes north three chains thirty links to the south-west corner of the allotment at Dowling-street as aforesaid.
