

An Act to enable the President Senior Vice President and Treasurer of "The Sydney Mechanics' School of Arts" to sell the Land belonging to the said Institution in George-street South Sydney and to purchase other Land and erect new Buildings in connection with the objects of the said Society in a more convenient situation and for other purposes therein contained. [21st December, 1852.]

SCHOOL OF ARTS  
(SYDNEY) TRUSTEES.

WHEREAS by a deed poll or instrument under the hand of Sir Charles Augustus Fitz Roy Her Governor in Chief of the Colony of New South Wales made and issued the twenty-ninth day of March one thousand eight hundred and fifty-one Her Majesty Queen Victoria granted unto Charles Nicholson Esq. then President of the society school or public institute called "The Sydney Mechanics' School of Arts" Arthur Martin áBeckett Esq. then Senior Vice-President and Thomas Cowlshaw Esq. then Treasurer of the said society All that piece or parcel of land containing by admeasurement one rood a little more or less situate lying and being in the said Colony of New South Wales in the county of Cumberland in the city of Sydney in the parish of Saint Lawrence bounded on the west by George-street (commencing at the south-west corner of allotment number thirty-six on that street) bearing southerly one hundred feet to Christ Church Parsonage on the south by that church land bearing easterly one hundred and nine feet to a lane twenty feet wide on the east by that lane bearing northerly ninety-nine feet ten inches to allotment number thirty-six and on the north by a line at right angles to George-street bearing westerly one hundred and nine feet to the point of commencement on George-street To hold the same unto and to the use of the said Charles Nicholson Arthur Martin áBeckett and Thomas Cowlshaw their heirs and assigns upon trust to permit the same premises to be appropriated as a site or place for the erection of such building or buildings for the said society school or institute as the President Senior Vice-President and Treasurer for the time being of the said society or other the managing officers thereof should think fit and upon further trust to convey the same hereditaments from time to time so and in such manner that the same might become vested in the President Senior Vice-President and Treasurer for the time being of the said society or institute in fee simple upon the trusts and for the purposes aforesaid And in the said instrument was contained a condition

Preamble.

Crown Grant  
29th March, 1851.

*School of Arts (Sydney) Trustees.*

condition for avoidance by Her Majesty of the said grant and for resumption of the land granted upon user thereof by the said grantees for any other purpose than as a site for such buildings as therein mentioned or upon any alienation thereof And whereas the said Arthur Martin áBeckett is now the President of the said society and William Timothy Cape and William George Pennington Esquires are now respectively the Senior Vice-President and Treasurer of the said society And whereas the said land being in an inconvenient situation for the erection of buildings in furtherance of the objects of the said society it is deemed expedient to sell the said piece of land and to obtain other land in a more suitable situation for the purpose 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—

Trustees authorized to sell and execute conveyances.

1. It shall be lawful for the said Arthur Martin áBeckett William Timothy Cape and William George Pennington or the President Senior Vice-President and Treasurer for the time being of the said Sydney Mechanics' School of Arts to sell and dispose of the said piece or parcel of land in George-street aforesaid by public auction or private contract and either in one lot or in several lots as they shall think most expedient for such 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 their or his heirs and assigns and thereupon the said hereditaments or such portion thereof as shall be so conveyed by the said Arthur Martin áBeckett William Timothy Cape and William George Pennington or the President Senior Vice-President and Treasurer for the time being shall notwithstanding that the legal estate therein be in the said original grantees thereof their heirs or assigns vest absolutely in the person or persons to whom the same shall have been so conveyed their or his heirs or assigns freed and discharged from the trusts created and declared by the said deed of grant.

Proceeds of sale to be paid into the Treasury and receipts of Colonial Treasurer to be sufficient discharges.

2. The moneys to arise from the sale of the said land and buildings shall be paid into the hands of the Colonial Treasurer to the credit of the said President Senior Vice-President and Treasurer for the time being and the receipt of the said 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 mis-application or non-application thereof.

Power to Trustees to purchase or accept land and employ proceeds of sale in erecting new buildings.

3. It shall be lawful for the said Arthur Martin áBeckett William Timothy Cape and William George Pennington or the President Senior Vice-President and Treasurer for the time being of the said School of Arts to purchase or to accept a grant of land in the city of Sydney for the purpose of erecting a new School of Arts and all other necessary buildings thereon and to employ the proceeds of the sale of the hereditaments hereby authorized to be sold in the purchase of such other land unless a free grant thereof shall have been made to them and in the erection of a new School of Arts and other buildings if required in connection therewith and the drafts of the said President Senior Vice-President and Treasurer or any two of them of whom the said Treasurer shall be one purporting to be for either of such purposes and to be drawn by them as such office-bearers of the said institution shall be a sufficient discharge to the said Colonial Treasurer for all such sum or sums of money as shall be therein expressed to be drawn for and as shall have been paid in pursuance thereof and the said Colonial Treasurer shall not be responsible in respect of any mis-application or non-application of any money so paid by him on any such draft.

*Campbell's Will Trustees.*

4. The land to be newly acquired as aforesaid for the said institution and the new School of Arts and other buildings connected therewith when built or erected shall be vested in the said Arthur Martin áBeckett William Timothy Cape and William George Pennington or other the President Senior Vice-President and Treasurer for the time being of the said Sydney Mechanics' School of Arts and upon the election or appointment at any time hereafter of any other President Vice-President or Treasurer thereof under and in conformity with the rules and regulations of the said institution the said land and buildings shall thereupon and without the execution of any conveyance or transfer thereof become and be vested in the said new office-bearer together with the continuing office-bearer or office-bearers if any or alone as the case may require and the said President Senior Vice-President and Treasurer for the time being shall hold the said land and buildings in trust for the purposes of the said institution and subject to the rules and regulations thereof.

Land and new School of Arts to vest in President Senior Vice-President and Treasurer for the time being.

5. In case no sale of the hereditaments hereby authorized to be sold shall take place under the powers conferred by this Act then the same shall from time to time and at all times be vested in the persons who for the time being shall be the President Senior Vice-President and Treasurer of the said institution under any election or appointment as aforesaid without any conveyance or transfer of the said land and buildings having been made and shall be held by the said President Senior Vice-President and Treasurer for the time being in trust for the purposes aforesaid and subject to the rules and regulations of the said institution.

In case no sale takes place present land to vest in President Senior Vice-President and Treasurer for the time being.