

**No. XVIII.**

An Act to enable the University of Sydney to SYDNEY UNIVERSITY.  
 purchase the Sydney College with the Land  
 attached thereto. [5th September, 1853.]

WHEREAS in time past a certain Institution called the Sydney Preamble.  
 College was established by a certain number of Subscribers  
 forming a Joint Stock Company for the purpose of imparting the  
 rudiments of a liberal education to the youth of the Colony. And  
 whereas a parcel of Land in the City of Sydney was given as and for  
 the site and other necessary purposes of the said College by the then  
 Governor of this Colony Sir Richard Bourke which Land was granted  
 by Her present Majesty by a Grant or Letters Patent bearing date the  
 fifth day of December in the year of our Lord one thousand eight  
 hundred and thirty-seven to certain Trustees therein named and the  
 survivor of them and the heirs of such survivor in and by which said  
 Grant or Letters Patent it is declared that such Land was given and  
 granted for the promotion in the said Colony of Science Literature  
 and Art. And whereas a College Hall and other Buildings were erected  
 on the said Land by the said Company at a great expense. And  
 whereas after some years the said College began to languish and  
 at last was temporarily closed as an educational establishment and  
 the said Land College Hall and Buildings are now occupied by the  
 University of Sydney. And whereas William Bland of Sydney Esquire  
 is the sole surviving Trustee named in the said Grant and is also the  
 last appointed President of the said Sydney College. And whereas  
 at a meeting of the Proprietors of the said Institution held on the  
 eighteenth day of June last it was resolved unanimously that the  
 said William Bland should be empowered to treat with the Uni-  
 versity of Sydney for the sale of the said Land College Hall and  
 Buildings on behalf of the said Proprietors at the full price of all the  
 shares held by the said Proprietors in the said Institution. And  
 whereas the Senate of the said University of Sydney having had the said  
 resolution submitted to them have agreed on behalf of the said Uni-  
 versity with the said William Bland on behalf of the said Proprietors to  
 purchase the said Land College Hall and Buildings for the full price of  
 all the said shares together with the sum of one hundred and fifty  
 pounds the estimated expenses incurred and to be incurred by the said  
 William Bland in and about carrying the said agreement into effect.  
 And whereas divers volumes of classical books and certain scientific  
 instruments and apparatus and other personal property formerly used  
 in the educational establishment conducted in the said Sydney College  
 now belong to the Proprietors of the said Sydney College as such  
 Proprietors which said books instruments apparatus and other property  
 are now in the possession of the Senate of the said University and it  
 is desirable and the Proprietors of the said College are willing that  
 the same shall be transferred to and vested in the said Sydney Uni-  
 versity for the use and benefit thereof. And whereas a certain legacy or  
 sum of five hundred pounds bequeathed to the said Sydney College  
 by the late Solomon Levey Esquire together with an accumulation of  
 interest thereon amounting in the whole to the sum of five hundred and  
 sixty-five pounds three shillings and eleven-pence or thereabouts is  
 now in the possession of George Allen Esquire the Treasurer of the  
 said Institution and the intention of the said Solomon Levey will be  
 best carried out by the said sum of money being transferred to the  
 said University in manner hereinafter mentioned and the Proprietors  
 of

*Sydney University.*

of the said Sydney College are willing that the same shall be so transferred for such purposes. And whereas such sale and purchase and the other above-mentioned objects cannot be perfected without the sanction of the Legislature. Be it therefore enacted by His Excellency the Governor of New South Wales with the advice and consent of the Legislative Council thereof as follows:—

The President of the  
Sydney College  
empowered to sell  
and the University  
of Sydney to buy  
the said College.

As to payments to  
be made to the  
Proprietors of the  
said College.

In case of doubt  
Proprietors' shares  
to be paid to  
persons entitled upon  
an order of the  
Supreme Court or  
any Judge thereof.

Classical and other  
educational books  
&c. of Sydney Col-  
lege vested in Uni-  
versity.

Levey's legacy to be  
transferred to the  
Sydney University to  
found a scholarship  
therin.

1. The said William Bland is hereby empowered to sell and the said University of Sydney to buy the said Land College Hall and other Buildings for the full price of all the aforesaid shares in the said Institution and the said sum of one hundred and fifty pounds the aforesaid estimated amount of the said expenses incurred and to be incurred by the said William Bland as aforesaid and a conveyance of the said Land College Hall and other Buildings duly executed by the said William Bland to the said University shall be held and deemed to vest to all intents and purposes a valid and absolute title in fee simple in and to the said Land College Hall and other Buildings in the said University of Sydney and their Successors.

2. Upon the execution of such conveyance every Proprietor of the said Sydney College shall be entitled to receive on demand from the said University or the Senate thereof and on such demand the said University or the Senate thereof shall be bound to pay to every such Proprietor the full amount of all and every shares or share in the said Institution held by such Proprietor and upon the execution of such conveyance the said William Bland his executors or administrators shall also be entitled to receive on demand from the said University or the Senate thereof and on such demand the said University or the Senate thereof shall be bound to pay to the said William Bland his executors or administrators the aforesaid sum of one hundred and fifty pounds.

3. Provided always That in case any doubt shall arise or exist as to who is or are or shall or may be entitled to any of such shares it shall be lawful for any person or persons claiming to be entitled as such Proprietor or Proprietors to demand and receive any money from the said University or the Senate thereof under or by virtue of the provisions hereof to apply to the Supreme Court of the said Colony or any Judge thereof in a summary way for an order for the payment of so much money as such person or persons shall be so entitled to receive and such Court or Judge shall and may hear and determine every such application in a summary way and every order made by such Court or Judge thereon directing the payment of any such money shall be binding and conclusive upon the said University and the Senate thereof and shall be a valid and sufficient authority for any payment thereby directed to be made.

4. The said books instruments apparatus and other personal property belonging to the Proprietors of the said Sydney College which are now in the possession of the Senate of the said University as aforesaid shall be and the same are hereby vested in the said University to the intent and so that the same shall be the absolute property of the said University and their Successors for the purposes of the said University.

5. It shall be lawful for the said George Allen or such other person or persons as has or have or may have the possession of the said sum of five hundred and sixty-five pounds three shillings and eleven-pence or thereabouts and he and they is and are hereby directed so soon as a conveyance to the said University of the aforesaid Land College Hall and other Buildings shall under and by virtue of the provisions hereof be executed by the said William Bland to transfer and pay over to the said University or the Senate thereof the said sum of five hundred and sixty-five pounds three shillings and eleven-pence or

*Baggage Landing Places.*

or thereabouts and such last-mentioned sum shall thereupon become and be the property of the said University and their Successors to be held nevertheless by the said University and their Successors upon trust to invest the same at interest upon such security and in such manner in all respects as the Senate of the said University shall from time to time in their absolute discretion think fit and to apply the clear or net interest or income arising therefrom in or towards the foundation or endowment of a scholarship in the said University under such regulations as the said University and their Successors or the Senate thereof shall deem to be as nearly in accordance with the intentions of the said Solomon Levey in making the aforesaid bequest as circumstances may permit Provided always that the said University and their Successors or the Senate thereof shall have an absolute and uncontrolled discretion in respect of making and altering all such regulations.

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