

*Town Hall Site Exchange.*

TOWN HALL SITE  
EXCHANGE.

# An Act to enable the Municipal Council of Sydney to substitute for their present site a more convenient site for a Town Hall. [9th December, 1862.]

Preamble.

WHEREAS the lands described in the first Schedule hereto have been granted to the Municipal Council of Sydney and their successors as a site for a Town Hall for the use and convenience of the inhabitants of the City of Sydney for the time being and for no other purpose whatsoever And whereas the said lands are so situated as not to afford a suitable site for such purpose and the erection of a Town Hall thereon would not be for the convenience of the said inhabitants And whereas the said Council have no power to alienate the said land And whereas it is expedient that they should possess such power and the authority by sale or exchange of the said lands to obtain a more convenient site and to erect thereon a Town Hall for the use and convenience of the said inhabitants 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:—

Municipal Council  
may sell present site  
for Town Hall by  
auction.

1. It shall be lawful for the Municipal Council of Sydney by public auction at such time as shall appear to them most advantageous to sell the lands described in the first Schedule hereto with their appurtenances in one lot or in several parcels not less in any case than twenty-six feet in width and eighty-six feet in depth for the best price that can be obtained for the same And the said Council shall at any such sale have power to buy in the same and sell the same again without being liable for any loss thereby occasioned and also power to make any special conditions or stipulations as to title or otherwise.

Council may  
exchange instead of  
selling.

2. It shall be lawful for the said Council if deemed advisable instead of selling the said lands or any part thereof in manner aforesaid to exchange the same for any other freehold land in Sydney with or without any building thereon suitable as a site for or as a Town Hall as aforesaid and to pay or receive as the case may be a just sum of money for equality of exchange Provided that any hereditaments so taken in exchange shall be applied to the purpose of a Town Hall as aforesaid and to none other Provided also that it shall be lawful for the Crown or for any corporate body to exchange any freehold land belonging to them respectively for the land described as aforesaid or any part thereof.

How land to be  
conveyed.

3. Upon any and every such sale or exchange as aforesaid it shall be lawful for the said Council to convey and assure the said lands or any part thereof as the case may be to the purchaser or other person taking the same in exchange by a deed in or as near as may be to the form of the second Schedule or according to the note in the third Schedule hereto to be executed under the common seal of the Mayor Aldermen and Citizens of the City of Sydney and every such deed shall exonerate the purchaser or other person as aforesaid from responsibility as to the application of his purchase money or any sum paid by him for equality of exchange and shall together with a certified copy of the grant from the Crown recited in the said first Schedule and the said Sydney Corporation Act of 1857 and this Act and without any other assurance in the law assure the land in the said deed described absolutely to such purchaser or other person his heirs and assigns or successors as the case may be for ever.

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4. Every sum of money received by the Municipal Council whether as the proceeds of any such sale or for equality of exchange as aforesaid after paying thereout the costs charges and expenses of the transaction shall be in the first instance applied to the procuring of a suitable site for a Town Hall as aforesaid by purchase of freehold land in Sydney if not already obtained by exchange and in the next place in or towards the erection of suitable buildings or of extending repairing and completing any buildings already erected on any land purchased or taken in exchange as and for a suitable Town Hall for the use and convenience of the inhabitants of the City of Sydney for the time being and to no other purpose whatsoever Provided that the surplus (if any) shall be carried to the account of the General Revenues of the said Municipal Council and that the deficiency for completing the purposes aforesaid (if any) shall be supplied out of the said Revenues.

Proceeds of sale &c.  
to be applied strictly  
for a Town Hall.

5. This Act shall be styled and may be cited as the "Sydney Short title. Town Hall Act of 1862."

FIRST SCHEDULE.

All that piece or parcel of land in the Territory of New South Wales containing by admeasurement one acre three roods and thirty-nine perches be the same more or less situated in the City of Sydney Parish of St. James and County of Cumberland commencing at the south-east intersection of Bridge and Elizabeth streets and bounded on the north by Bridge-street bearing easterly two chains and ninety-two and a half links to Phillip-street on the east by Phillip-street bearing southerly five chains and eighty-two links on the south by the segment of a circle (to which Phillip Bent and Elizabeth streets are tangents) to Elizabeth-street and on the west by Elizabeth-street bearing northerly five chains and nine links to the point of commencement which lands are described in a certain deed poll or grant from the Crown bearing date the thirteenth day of September one thousand eight hundred and fifty-one made and issued in favour of the then Mayor Aldermen and Councillors of the City of Sydney and their Successors under the hand of the then Governor of the Territory of New South Wales Sir Charles Augustus Fitz Roy and sealed with the seal of the said Territory.

## SECOND SCHEDULE.

This Indenture made the                      day of                      one thousand eight hundred and sixty-                      between the Municipal Council of Sydney in the Colony of New South Wales of the one part and                      of                      of the other part witnesseth that the said Council in consideration of the sum of                      sterling paid to them which they hereby acknowledge sell and enfeoff to the said his [or her] heirs and assigns [*or their successors as the case may be*] for ever all that parcel of land described in the Schedule hereunder written.

### SCHEDULE.

Witness—

**A. B.**

**Town Clerk.**

### THIRD SCHEDULE.

NOTE.—In the case of an Exchange it must be by mutual Deeds—if executed by the Council being as nearly as possible in the form of the second Schedule.