

KURRAJONG LAND
AND RILEY-STREET
SURRY HILLS LAND
SALES.

**An Act to enable the Bishop of Sydney to sell
two portions of land situated respectively
at Kurrajong County of Cook and Surry
Hills near Sydney and to provide for the
application of the proceeds of sale thereof.
[4th April, 1881.]**

Preamble.

WHEREAS by indenture bearing date the third day of November one thousand eight hundred and seventy-three and made between Alfred Jones of the Kurrajong in the County of Cook and Colony of New South Wales farmer of the one part and the Bishop of Sydney and Metropolitan of the said Colony of the other part the land described in the First Schedule hereto was for the consideration therein expressed conveyed unto the said Bishop of Sydney and his successors for an estate in fee simple upon trust to permit and suffer the said land to be used occupied and enjoyed as a minister's dwelling and glebe in connection with the Church of England situated at the Kurrajong as aforesaid And whereas by indenture bearing date the fifteenth day of March in the year one thousand eight hundred and seventy-seven and made between Ann Sophia Campbell of the City of Sydney in the Colony aforesaid widow of the late Robert Campbell and then residing in England of the first part the Honorable John Campbell of Sydney aforesaid

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aforesaid Esquire of the second part and the said Bishop of Sydney of the third part the land described in the Second Schedule hereto was for the consideration therein expressed conveyed unto the said Bishop of Sydney and his successors for an estate in fee simple subject to the provisions of the Act of the Governor and Legislative Council of New South Wales Eight William Fourth number five upon trust to permit the erection and maintenance thereon of a church to be devoted to the worship of Almighty God according to the use of the church in the said Act described as "The United Church of England and Ireland" and a dwelling-house for the minister for the time being licensed or otherwise authorized to officiate in the church to be erected as aforesaid or in some other church to be erected in the neighbourhood thereof and a schoolhouse to be managed under such rules as the Bishop of Sydney or his successors should make with respect to the same or some one or more of such buildings or upon trust to permit the said land to be used as a glebe in connexion with some church erected or to be erected in the neighbourhood thereof And whereas neither a church nor any of the buildings referred to in the trusts upon which the said lands were severally expressed to be holden have been erected thereon by reason of the unsuitable nature of each of the said parcels of land for the purposes for which the same was acquired And it is expedient that the said Bishop of Sydney and his successors should be empowered to sell and dispose of the said parcels of land and to convey and assure the same to the respective purchasers thereof freed and discharged from the trusts incident thereto And that the proceeds of sale in each case should be invested in more suitable premises for the purposes intended as hereinafter provided 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:—

1. It shall be lawful for the said Bishop of Sydney and his successors to sell and dispose of the lands severally described in the First and Second Schedules hereto by public auction or private contract and either in one lot or several lots as the vendor exercising this power shall deem expedient for such price or prices as can be reasonably had or obtained therefor And to convey and assure the same or any parts thereof to the respective purchasers thereof in fee simple freed and discharged from the said trusts affecting the same And the receipt in writing of the said Bishop of Sydney or his successors shall be an absolute discharge to any purchaser of such lands or of any part thereof in respect to the purchase money payable by him and shall exonerate him from seeing to the application thereof and from all liability as to the misapplication or non-application thereof.

Power to Bishop of Sydney to sell.

2. The said Bishop of Sydney and his successors shall stand possessed of all moneys arising from the exercise of the powers of sale hereby conferred after paying thereout the costs of obtaining this present Act and all expenses incident to the sale of the said lands upon the following trusts namely—

How proceeds of sale are to be applied.

- (I.) As to the moneys derived from the sale of the land described in the First Schedule hereto upon trust to apply such moneys or any part thereof in or towards the purchase of land situated at the Kurrajong as aforesaid to be used occupied and enjoyed as a minister's dwelling and glebe in connection with the Church of England and to apply the balance remaining after such purchase (if any) in or towards the erection of a minister's dwelling or upon trust to apply such moneys or any part thereof in or towards the purchase of a minister's dwelling-house in connection with the said Church and situated as aforesaid.

(II.)

Australasian Steam Navigation Company's Act Amendment.

(II.) As to the moneys derived from the sale of the land described in the Second Schedule hereto upon trust to apply such moneys or any part thereof in or towards the purchase of land to be held upon the like trusts for the erection and maintenance of a Church as are expressed in the said indenture dated the fifteenth day of March one thousand eight hundred and seventy-seven as hereinbefore set forth or in or towards the purchase of a dwelling-house for a minister in accordance with the terms of the said trusts so far as they apply to a minister's dwelling-house And the receipt of any person to whom any moneys shall be paid under the authority of this Act shall be a valid and complete discharge to the person paying the same in respect to such moneys.

Short title.

3. This Act may be cited as the "Kurrajong Land and Riley-street Surry Hills Land Sales Act of 1881."

FIRST SCHEDULE.

All that parcel of land containing by admeasurement fifty acres more or less situate lying and being in the County of Cook (formerly Northumberland) and district of Kurrajong in the Colony aforesaid bounded on the west by Handsey's farm thirty-seven chains on the south by a line east fifteen chains on the east by a line north thirty-two chains and on the north by a line west fifteen degrees north fifteen chains fifty links (excepting thereout and exclusive of all that parcel of land containing by superficial measurement three acres and thirty-one perches which was by indenture of release dated the eleventh day of December one thousand eight hundred and fifty-one assured by the said Alfred Jones to George Matcham Pitt Robert Pitt and John Ezy upon trust for a Church of England Church and Burial Ground).

SECOND SCHEDULE.

All that parcel of land containing six and a half perches more or less being part of block twenty-two of the Riley Estate Surry Hills situated in the parish of Alexandria in the City of Sydney in the Colony of New South Wales bounded on the west by the east side of Riley-street commencing at its junction with the north side of Church-street and bearing northerly twenty feet on the north by a line bearing easterly ninety feet on the east by a line bearing southerly twenty feet and on the south by Church-street (fifty feet wide) bearing westerly ninety feet to the commencing point.
