

An Act to enable John Cooper Frederick Oatley Prosper Nicholas Trebeck Thomas Matthews and Richard Westaway as Trustees of certain land situate at Paddington to sell the same and providing for the application of the proceeds. [8th November, 1881.]

UNITED CHURCH
OF ENGLAND
AND IRELAND
SCHOOL AT
PADDINGTON SALE.

WHIEREAS by a deed of grant under the hand of Sir Hercules Preamble.

George Robert Robinson dated the thirtieth day of May one thousand eight hundred and seventy-six the piece of land in the parish of Alexandria at Paddington near Sydney in the Colony of New South Wales described in the Schedule hereto was granted to John Cooper Frederick Oatley Prosper Nicholas Trebeck Thomas Matthews and Richard Westaway upon trust for the erection thereon of a school-house in connection with the United Church of England and Ireland as by law established and upon the further trusts in the said deed of grant declared. And whereas a school-house was erected upon the said land and is now being used in connection with the said United Church of England and Ireland. And whereas by a deed of grant under the hand of Sir Alfred Stephen as Administrator of the Government of the Colony dated the first day of June one thousand eight hundred and seventy-two certain land in the said parish of Alexandria was granted as a site for a church in connection with the United Church of England and Ireland in New South Wales. And whereas a church known as "St. Matthias' Church" being a church in connection with the said United Church of England and Ireland has been erected thereon and the instruction given in the school-house erected on the land comprised in the first recited deed of grant is given in connection with the said "St. Matthias' Church". And whereas there is an inconvenient distance between the site of the said church and the site of the said school-house and the obligations imposed upon the Trustees under the first-mentioned grant would be more effectually discharged if the said school-house were erected and the instruction given therein carried out at a less distance from the said "St. Matthias' Church". And whereas the deed of grant to the said John Cooper Frederick Oatley Prosper Nicholas Trebeck Thomas Matthews and Richard Westaway contains no power of sale or exchange over the school-house site and it is desirable that power should be given to the said Trustees enabling them to sell the said site and to apply the proceeds as hereinafter directed. 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 John Cooper Frederick Oatley Powers of sale. Prosper Nicholas Trebeck Thomas Matthews and Richard Westaway (hereinafter styled Trustees) or the Trustees for the time being of the said school land their heirs or assigns to sell and dispose of the land described in the schedule hereto and the buildings thereon either by public auction or private contract and either in one lot or in several lots for such price or prices as may be reasonably had and obtained for the same and upon such terms and conditions of sale as the said Trustees may deem expedient with power to buy in the said land or any part or parts thereof at any auction sale or to rescind or vary the terms

Presbyterian Church Property Management.

terms of any contract for the sale of the said land or any part or parts thereof and to convey transfer and assure the said land or any part or parts thereof in fee simple to the purchaser or purchasers thereof respectively his her or their heirs and assigns freed and discharged from each and all of the aforesaid trusts and the receipt in writing of the said Trustees their heirs and assigns for any money arising from such sale or sales shall be an effectual and absolute discharge to the purchaser or purchasers thereof and shall free him her or them from seeing to the application of any proceeds of such sales and from any liability in respect of the same.

Application of
purchase money.

2. The said Trustees their heirs or assigns shall stand possessed of all moneys arising from each and every such sale as aforesaid after payment of the actual and reasonable expenses of such sales and of this Act Upon trust to apply such moneys in the erection of a school-house in connection with the United Church of England and Ireland upon a vacant portion of the site of the church known as "St. Matthias' Church" hereinbefore alluded to and to apply the remainder of the said moneys (if any) which shall not be required for the purpose aforesaid for the repair improvement and benefit of the said school-house and all receipts given by any person or persons to whom any moneys shall be paid under the provisions of this Act shall be valid and complete discharges to the Trustees their heirs or assigns for moneys so paid.

Short title.

3. This Act shall be styled and may be cited as "The United Church of England and Ireland School at Paddington Sale Act."

SCHEDULE.

All that piece or parcel of land in our said Colony containing by admeasurement one rood and twenty-four perches and three-fourths of a perch be the same more or less situated in the county of Cumberland and parish of Alexandria at Paddington Commencing on the south side of the Old South Head Road at a point bearing north forty-two degrees east and distant one chain and sixty-five links from the north-eastern corner of the Victoria Barracks and bounded thence on the north by that road bearing east thirty minutes south one chain and three links on the east by a line bearing south thirty minutes west three chains and thirty seven links on the south by a line bearing west eight degrees ten minutes north one chain and forty-seven links and one half a link and on the west by a line bearing north eight degrees twenty minutes east three chains and twenty-three links to the point of commencement.