

COOMA CHURCH OF
ENGLAND
PARSONAGE.

An Act to authorize and empower Robert Dawson the surviving Trustee of certain Church of England lands at Cooma and to authorize and empower the said Robert Dawson and James Litchfield David Ryrie and John Edward Pretty Walker the Trustees of certain lands dedicated by the Crown for a site for a Church of England Parsonage at Cooma aforesaid to sell the said respective lands and to provide for the application of the proceeds thereof.
[10th September, 1886.]

Preamble.

WHEREAS at a sale of Crown Lands held at Cooma on the fifteenth day of August one thousand eight hundred and sixty-one John Lambie the abovenamed Robert Dawson and Francis Smith as Trustees for the Church of England at Cooma became the purchasers of the lands described in the First Schedule hereto And whereas by Crown grants bearing date the thirty-first day of December one thousand eight hundred and sixty-one under the hand of the Governor of the Colony of New South Wales with the seal of the said Colony affixed the said lands described in the First Schedule hereto were granted to the said John Lambie Robert Dawson and Francis Smith as tenants in common instead of joint tenants as Trustees for the Church of England at Cooma And whereas the said John Lambie died on or about the third day of August one thousand eight hundred and sixty-two And whereas the said Francis Smith died on or about the eighth day of December one thousand eight hundred and sixty-three And whereas it has been found that the said lands are unsuitable for the purposes for which they were originally purchased and that it would be expedient to sell the same and apply the proceeds arising from such sale partly in completing the erection of the Church of England buildings at Cooma aforesaid and partly in paying off certain debts now existing on the said Church And whereas by Crown grant bearing date the second day of April one thousand eight hundred and eighty-five the lands and hereditaments described in the Second Schedule hereto were granted unto the said Robert Dawson and James Litchfield David Ryrie and John Edward Pretty Walker To hold unto the said Robert Dawson James Litchfield David Ryrie and John Edward Pretty Walker upon trust for the appropriation thereof as a site of a dwelling-house garden and other appurtenances for the Clergyman duly appointed to officiate in the Church of the United Church of England and Ireland in New South Wales erected at Cooma And whereas it has been found that the land so granted is unsuitable for the purposes for which it was granted and that it would be expedient to sell the same and to apply the proceeds arising from such sale partly in the purchase of another piece of land much more suitable and upon the same trusts and partly in the completion of the buildings of the Church of England at Cooma aforesaid and partly in the payment of certain debts now existing on the said Church Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent

Cooma Church of England Parsonage.

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 Robert Dawson the surviving Trustee of the lands described in the First Schedule hereto his heirs or assigns to sell and dispose of the same by public auction and either in one lot or in several lots as he or they shall deem most expedient for such price or prices as can be had and obtained for the same And upon such sale or sales to convey the said land and hereditaments or any part or parts thereof to the purchaser or purchasers thereof in fee-simple freed and discharged from all trusts affecting the same And the receipt in writing of the said Trustee his heirs or assigns for the purchase money for the said land upon such sale or sales shall absolutely discharge the purchaser or purchasers thereof from the purchase money payable by him or them respectively and shall exonerate him or them from seeing to the application of the said purchase money and from all liability in respect of any mis-application or non-application thereof.

Power to surviving
Trustee to sell and
convey land
described in First
Schedule.

2. It shall be lawful for the said Robert Dawson James Litchfield David Ryrie and John Edward Pretty Walker Trustees of the land described in the Second Schedule hereto their heirs or assigns to sell the said land either by public auction and either in one lot or in several lots as they shall deem most expedient and for such price or prices as can be had or obtained for the same And upon such sale or sales to convey the said lands respectively or any part or parts thereof to the purchaser or purchasers thereof in fee-simple freed and discharged from all trusts affecting the same and the receipt of the said Trustees their heirs or assigns for the purchase money of the said lands or any part or parts thereof upon such sale or sales shall effectually discharge the purchaser or purchasers thereof from the purchase money payable by him or them respectively and shall exonerate him or them from seeing to the application of the said purchase money and from all liability in respect of any mis-application or non-application thereof.

Trustees may sell
and convey land
described in the
Second Schedule.

3. The said Trustee and Trustees respectively mentioned or referred to in the first and second sections of this Act his and their heirs and assigns shall respectively stand possessed of all moneys arising from any and every such sale or sales as aforesaid upon trust to apply the said moneys in or towards payment of the purchase money of another piece of land as a site for a residence for the Clergyman of the Church of England at Cooma and partly in completing the erection of the buildings of the Church of England at Cooma and partly in the payment of certain debts now existing on the said Church And the receipt of 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 said Trustee or Trustees respectively his or their heirs or assigns for such moneys.

Application of
proceeds.

FIRST SCHEDULE.

All that allotment or parcel of land containing by admeasurement one rood thirty-five perches be the same more or less situated in the county of Beresford parish of Cooma and village of Cooma being allotment number three of section number thirty-four Commencing at the south-east side of Commissioner-street at the west corner of allotment number two and bounded thence on the north-west by that street south-westerly one chain on the south-west by the north-easterly boundary-line of allotment number four south-easterly at right angles to Commissioner-street four chains and seventy links to a lane on the south-east by that lane north-easterly parallel with Commissioner-street one chain and on the north-east by the south-western boundary-line of allotment number two aforesaid north-westerly at right angles to Commissioner-street four chains and seventy links to the point of commencement being the allotment sold as lot forty in pursuance of the proclamation of second July one thousand eight hundred and sixty-one And also all that allotment or parcel of land containing by admeasurement one rood thirty-

Bird Estate.

thirty-five perches be the same more or less situated in the county of Beresford parish of Cooma and village of Cooma being allotment number four of section number thirty-four Commencing on the south-east side of Commissioner-street at the west corner of allotment number three and bounded thence on the north-west by that street south-westerly one chain on the south-west by the north-eastern boundary-line of allotment number five south-easterly at right angles to Commissioner-street four chains and seventy links to a lane on the south-east by that lane north-easterly parallel with Commissioner-street one chain and on the north-east by the south-western boundary-line of allotment number three aforesaid north-westerly at right angles to Commissioner-street four chains and seventy links to the point of commencement Being the allotment sold as lot forty-one in pursuance of the proclamation of the second July one thousand eight hundred and sixty-one.

SECOND SCHEDULE.

All that piece or parcel of land in our said Colony containing by admeasurement two roods be the same more or less situated in the county of Beresford parish of Cooma at Cooma Commencing at a point distant six chains south from the south-eastern corner of the appropriation for a Burial-ground for Wesleyans and bounded thence on the north by a line bearing west two chains fifty links on the west by a line bearing south two chains on the south by a line bearing east two chains fifty links and on the east by a line bearing north two chains to the point of commencement.
