

**An Act to declare the trusts of certain moneys
in the hands of the Church of England
Property Trust Diocese of Sydney repre-
senting the compensation paid by the
Government of New South Wales for the
resumption of Saint James' School. [27th
August, 1886.]**

SAINT JAMES'
SCHOOL COMPENSA-
TION TRUST.

WHEREAS by deed of grant from the Crown dated the fourteenth Preamble. day of June one thousand eight hundred and forty-five certain lands situate in Elizabeth and Castlereagh Streets in the city of Sydney were granted to the Bishop of Australia and his successors upon trust for the erection thereon of a school to be used in connection with the United Church of England and Ireland. And whereas a building was accordingly erected upon the said land and used for many years as a school in connection with such church as aforesaid and was known as Saint James' School. And whereas the said school was situated in the parish of Saint James in the said city and the same has been used as a general training school for the diocese as well as for a parochial school and for other educational purposes. And whereas the said lands and

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and the buildings thereon have recently been resumed by the Government of New South Wales under the provisions of the "Lands for Public Purposes Acquisition Act". And whereas certain persons have been duly appointed Trustees under the provisions of the "Church of England Trust Property Incorporation Act of 1881" and such persons now constitute a body politic and corporate under the name of the Church of England Property Trust Diocese of Sydney. And whereas the said Government has paid to the said Church of England Property Trust hereinafter called the said corporation the sum of thirty-three thousand two hundred and nine pounds by way of compensation for the resumption of the said land and buildings as aforesaid. And whereas the said corporation at the last meeting of the Synod of the Diocese of Sydney laid before such synod for approval a scheme for the application of the said sum in the words following that is to say "to devote a sum of ten thousand pounds to the purchase of the present diocesan registry and Church Society's house from the trustees of Moore's Estate and to place those premises at the disposal of Saint James' Parish for educational uses and to devote the remainder of the money to the erection of a school of the highest type including various departments of education for all classes of the community in which the teaching shall be throughout in accordance with the principles of the Church of England and which shall be placed under the direction of a governing body of clergy and laity to be elected by the synod the Bishop of the Diocese being *ex officio* President". And whereas on the twenty-third day of July last the synod of the diocese by resolution approved and adopted such scheme as aforesaid and requested the said corporation to take the necessary steps for immediately carrying such scheme into effect. And whereas the lands described in the Schedule hereto being the lands on which the said diocesan registry and Church Society's house are built are vested upon certain trusts in the Trustees for the time being of the will of the late Thomas Moore. And whereas the said lands described in the said Schedule have lately been valued at the sum of ten thousand pounds and the said Trustees are willing to sell the said lands to the said corporation for such sum. And whereas it is desirable to obtain the necessary powers for these purposes. Be it therefore enacted by the Queen's Most Excellent Majesty by and with the consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows:—

Trusts of money.

1. The said corporation and their successors shall stand possessed of the said compensation money and all interest accrued and to accrue thereon upon trust in the first place to pay the costs and expenses of this Act and all such costs expenses and fees attending the management of the said sum of thirty-three thousand two hundred and nine pounds and the interest accrued and to accrue thereon as may have already become payable or may become payable to the said corporation under sanction of the synod and in the next place to apply the sum of ten thousand pounds in the purchase of the lands situated in Phillip-street Sydney particularly described in the Schedule hereto and upon trust to apply the residue of the said moneys and interest in manner hereinafter mentioned in and towards the establishment maintenance and support of a school in connection with the Church of England and if necessary in the purchase of lands as a site for such school and for such other purposes as are hereinafter mentioned.

Trusts of lands in Phillip-street to be purchased.

2. The said corporation and their successors shall either themselves hold the said lands in Phillip-street when so purchased as aforesaid or shall convey the same to the Trustees for the time being of Saint James' Church to be held by them upon such trusts and for such

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such educational and parochial purposes as the majority of pewholders and renters of sittings in the Church of Saint James in Sydney present at a meeting duly convened by the incumbent of the said church shall determine subject to the approval of the synod of the diocese. Provided that public notice shall be given of the time and place of such meeting on two consecutive Sundays during divine service in the said church and advertised in not less than four issues of some daily newspaper published in Sydney. Provided also that at such meeting ten persons at least shall be present.

3. The said school so to be established as aforesaid shall be under the Government of a Council consisting of such members of the Church of England one half of the number being clergymen and the other half laymen as the synod of the Diocese of Sydney shall from time to time determine and the Bishop of Sydney for the time being shall be *ex officio* President of such council.

4. So soon as the Council shall be appointed in manner aforesaid it shall be lawful for the said corporation and their successors after payment of the said sum of ten thousand pounds as aforesaid to pay to the said Council either the whole of the said moneys and interest or so much of the said moneys and interest as may be necessary or as they shall see fit and the Council shall apply all moneys so paid to them in and towards the establishment and maintenance of the said school and the balance if any remaining in the hands of the said corporation after such payment to the Council shall be applied with the approval of the Bishop and the said synod in and towards the establishment or improvement of other schools in the Diocese of Sydney in connection with the Church of England.

5. The said Council may invest any moneys in their hands not immediately required for the purposes aforesaid in or upon Government or freehold securities in the Colony of New South Wales or may deposit the same at interest with any joint stock company carrying on the business of bankers in Sydney with power to vary the said investments from time to time as may be thought fit.

6. It shall be lawful for the synod of the Diocese of Sydney from time to time to make alter and repeal rules and regulations touching the constitution election and powers of the Council of the said school and the course of instruction to be imparted in the said school and all matters in connection with the order and discipline thereof.

7. It shall be lawful for the Trustees for the time being of the will of Thomas Moore to convey the said land mentioned in the Schedule hereto to the said corporation in consideration of the sum of ten thousand pounds and the receipt in writing of the said Trustees shall be sufficient discharge to the said corporation and their successors for the said purchase money and shall relieve the said corporation and their successors from all liability for the non-application or mis-application thereof.

8. The said Trustees of the will of Thomas Moore shall stand possessed of the said sum of ten thousand pounds upon trust to apply the same or any part thereof in or towards the establishment in Sydney of a college for the education and training of candidates for holy orders in connection with the Church of England with a similar power of interim investment on the part of the said Trustees to that contained in the Fifth Section of this Act.

9. This Act may be cited for all purposes as "Saint James' School Compensation Trust Act."

Appointment of governing body of school.

Power for trust to transfer funds to council.

Power of interim investment.

Power of synod to make regulations.

Power of Moore's Trustees to convey lands in Phillip-street.

Appropriation of said moneys.

SCHEDULE.

All that allotment or parcel of land containing by admeasurement seventeen perches situated in the town of Sydney parish of Saint James county of Cumberland allotment number fourteen of section number forty and bounded on the east by Phillip-street bearing north three degrees fifteen minutes west eighty-five links on the north by allotment number fifteen bearing west four degrees south one hundred and twenty-nine links on the west by allotment number ten bearing south five degrees east ninety links and on the south by allotments numbers eleven and thirteen bearing east six degrees forty-five minutes north one hundred and twenty-three and a half links being the allotment advertised in the name of one William Reynolds in the Government notice dated thirteenth April one thousand eight hundred and thirty-nine.

And also all that parcel of land containing by admeasurement six perches more or less situated in the parish of Saint James in the city of Sydney aforesaid allotment number fifteen of section number forty bounded on the east by Phillip-street bearing north three degrees fifteen minutes west thirty-two and three quarters links on the north by allotment number nine bearing west four degrees south one hundred and twenty-three links on the west by allotments numbers nine and ten bearing south three degrees east twenty-four links then west four degrees south five links then south five degrees east seven links and on the south by allotment number fourteen bearing east four degrees north one hundred and twenty-nine links.