

An Act to authorise the sale of certain lands held for the use and general purposes of the Liverpool Plains Pastoral, Agricultural, and Horticultural Association, and the purchase of other lands in lieu of the same, for the use of the said association, and to authorise the mortgaging of the lands so purchased, and to provide for the removal and appointment of trustees of certain of the said lands.

[1st December, 1899.]

TAMWORTH  
SHOW-GROUND.  
—

WHEREAS by deed poll or grant from the Crown bearing date Preamble. the thirtieth day of June, one thousand eight hundred and eighty, all that piece or parcel of land in the said Colony, containing by admeasurement five acres, be the same more or less, situated in the county of Inglis, parish of Tamworth, town of Tamworth, being allotments one to ten inclusive, of section forty-four: Commencing at the western corner of the said section; and bounded thence on the south-west by Carthage-street south-easterly ten chains;

*Tamworth Show-ground.*

chains; on the south-east by White-street north-easterly at right angles to Carthage-street five chains to a lane; on the north-east by that lane westerly parallel with Carthage-street ten chains to Fitzroy-street; and on the north-west by that street south-westerly five chains, to the point of commencement, was thereby granted unto Philip Gidley King, John Gill, and John Kennedy Doyle, their heirs and assigns for ever, upon trust for the purposes of the Liverpool Plains Pastoral, Agricultural, and Horticultural Association: And it was thereby declared that when and so often as the said Philip Gidley King, John Gill, and John Kennedy Doyle, or any trustee or trustees to be appointed by virtue thereof, should die, resign, cease to reside in the said Colony, or become incapable of acting in the trusts thereby created, it should be lawful for the Governor for the time being of the said Colony, with the advice of the Executive Council thereof, from time to time by writing under his hand to name and appoint a new trustee or trustees in the place and stead of any trustee or trustees so dying, resigning, ceasing to reside in the said Colony, or becoming incapable of acting in the said trust, and upon every such appointment the trust property should be transferred, so that the same might be vested in the trustee or trustees for the time being upon the trusts and for the intents and purposes thereinbefore created and declared of and concerning the same: And whereas Robert Alfred Orville Gill and Thomas Matthew Newman were on the Thirtieth day of August, one thousand eight hundred and ninety-nine, appointed as trustees of the said land, in place of John Gill, deceased, and John Kennedy Doyle, resigned: And whereas Henry Stoddart was, on the said last-mentioned date, appointed an additional trustee of the said land: And whereas the said Philip Gidley King, John Gill, and John Kennedy Doyle were registered as proprietors, under the provisions of the Real Property Act, of all that allotment or parcel of land in the said Colony, containing by admeasurement one rood thirty-five perches, be the same more or less, situated in the county of Inglis, parish of Tamworth, and town of Tamworth, being allotment number fifteen of section number forty-four: Commencing on the south-western side of Upper-street at the eastern corner of William Henry Russ' allotment sixteen; and bounded thence on the north-east by that street south-easterly one chain; on the south-east by a line south-westerly at right angles to Upper-street four chains seventy links to a lane; on the south-west by that lane north-westerly parallel with Upper-street one chain; and on the north-west by the south-eastern boundary-line of allotment sixteen aforesaid north-easterly at right angles to Upper-street four chains seventy links, to the point of commencement, being the whole of the land contained in Crown grant, dated the twenty-seventh day of March, one thousand eight hundred and seventy-four, registered volume one hundred

*Tamworth Show-ground.*

hundred and eighty-two, folio fifty-four: And whereas the said Philip Gidley King, John Gill, and John Kennedy Doyle, by declaration of trust under their hands and seals, dated the twenty-first day of December, one thousand eight hundred and eighty-eight, acknowledged and declared that they, their heirs and assigns, did and should stand seized and possessed of the said piece or parcel of land, lastly hereinbefore described, upon trust to hold the same for the uses and purposes of the Liverpool Plains Pastoral, Agricultural, and Horticultural Association: And whereas by deed poll or grant from the Crown bearing date the eighteenth day of August, in the year of our Lord one thousand eight hundred and ninety-nine, all that piece or parcel of land in the said Colony, containing by admeasurement one acre three rods twenty perches, be the same more or less, situated in the county of Inglis, parish of Tamworth, being allotments eleven, twelve, thirteen, and fourteen of section forty-four, town of Tamworth: Commencing at the most eastern corner of allotment fifteen of section forty-four, William Henry Russ' one rood thirty-five perches; and bounded thence on the north-east by part of Upper-street, being a line bearing south forty-eight degrees east four chains to White-street; on the south-east by part of White-street, being a line bearing south forty-two degrees west four chains seventy links to a lane thirty links wide; on the south-west by part of that lane, being a line bearing north forty-eight degrees west four chains to the southern corner of allotment fifteen first mentioned; and thence by the south-east side of that allotment bearing north forty-two degrees east four chains seventy links, to the point of commencement, was thereby granted to Philip Gidley King, Robert Alfred Orville Gill, Thomas Matthew Newman, and Henry Stoddart, their heirs and assigns for ever upon trust for the purposes of the Liverpool Plains Pastoral, Agricultural, and Horticultural Association: And whereas the said lands are now unsuitable for the purposes of the said association, and it is expedient that the respective trustees of the lands hereinbefore described should have power to sell the same respectively, and that the proceeds of such sale or sales should be applied in or towards the purchase of lands in the town or in the vicinity of the town of Tamworth aforesaid, to be held by the said trustees for the like purposes and in or towards effecting necessary improvements on the lands so to be purchased as aforesaid, and that the said trustees should have power to mortgage the lands so to be purchased as aforesaid, as herein 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. Philip Gidley King, John Kennedy Doyle, and their heirs and assigns, and the heirs and assigns of John Gill, deceased, are hereby Estate in purchased land vested in certain trustees.

*Tamworth Show-ground.*

hereby divested of their estate in the allotment or parcel of land containing one rood thirty-five perches, and more particularly described above, and of all trusts in and concerning the same; and an estate in fee simple in the said land is hereby vested in the said Philip Gidley King, and in Robert Alfred Orville Gill, Thomas Matthew Newman, and Henry Stoddart, their heirs and assigns, for ever upon trust for the purposes of the Liverpool Plains Pastoral, Agricultural, and Horticultural Association.

Trustees may sell.

**2.** It shall be lawful for the trustees (which expression shall mean and include the respective trustees for the time being of all the lands respectively hereinbefore described) to sell and dispose of the same by public auction or private contract, and either in one lot or several lots, and either at one time or at different times, and upon such terms and conditions as they may deem expedient, for such price as can be reasonably obtained for the same, with power to buy in at any sale, and to rescind or vary any contract for sale, and to resell without being responsible for any loss occasioned by such rescission and resale and to transfer and assure the same to the purchaser or purchasers thereof, and the land so transferred and assured shall vest in the purchaser or purchasers freed and discharged from any trust under the hereinbefore recited Crown grants and this Act affecting the same respectively, and the receipt in writing of the said trustees shall be a sufficient discharge to a purchaser of the said land or any portion thereof, and exonerate him from seeing to the application of the moneys paid by him, and from all liability in respect of any misapplication or non-application thereof.

Trustees may give credit.

**3.** It shall be lawful for the trustees to allow any purchaser credit for the payment of the whole or any part of the purchase money upon such terms as to interest or otherwise as the trustees may deem reasonable and expedient.

Application of proceeds of sale.

**4.** The trustees shall stand possessed of the moneys arising from such sale upon trust, to apply the same in and towards the purchase of other land in the town or in the vicinity of the town of Tamworth aforesaid, upon such terms and conditions and for such price or prices as to the trustees shall seem fit, and in and towards the erection of all necessary improvements thereon, and shall be held by the trustees for the use and general purposes of the Liverpool Plains Pastoral, Agricultural, and Horticultural Association, with the same powers and subject to the same limitations as they now hold the lands hereinbefore described.

Trustees may mortgage.

**5.** The trustees for the time being of the land purchased under the powers conferred by section three of this Act are hereby empowered from time to time, with the consent of the Secretary for Lands, to execute any mortgage of the said land, or any part or parts thereof, freed and discharged from any trust affecting the same, for the purpose of

*Terrace-street Closing.*

of erecting necessary improvements thereon; and the receipt of such trustees shall be a sufficient discharge to any person or persons bona-fide advancing money upon mortgage of the said land, and shall exonerate any such person or persons from seeing to the application of such money, and from all liability in respect of any misapplication or non-application thereof.

6. The Governor, with the advice of the Executive Council, ~~Governor may~~ shall, as to the removal and appointment of trustees of the land or ~~trustees and make~~ lands purchased under the provisions of section three of this Act, and ~~regulations.~~ as to the making of rules and regulations in respect thereof, have all the powers conferred upon him by the Crown Lands Act of 1884, and the Public Trusts Act, 1897, in respect of lands dedicated for public purposes.

7. This Act may be cited as the "Tamworth Show-ground ~~short title.~~  
Act, 1899."