

Concord Land Sale.

AN ORDINANCE ^{21/1889} to authorise the sale of certain land situate at Concord in the Parish of Concord and County of Cumberland in the Colony of New South Wales and to provide for the application of the proceeds thereof.

Assented to 20 August, 1889.)

WHEREAS by Deed Poll or Grant from the Crown bearing date the twenty-sixth day of May one thousand eight hundred and forty-three under the hand of His Excellency Sir George Gipps Knight Governor for the time being of the said Colony and under the Seal of the said Colony Her Most Gracious Majesty Queen Victoria did grant unto Thomas Bray James Edrop and John Rowley the elder their heirs and assigns All that piece or parcel of land in the said Colony containing by admeasurement two roods be the same more or less situated in the County of Cumberland and Parish of Concord part of the Longbottom Reserve bounded on the East by a line bearing North two chains fifty links commencing at a stake eight chains fifty links North of a stake on the Parramatta Road being the continuation of a road from the Liverpool Road on the North by a line bearing West two chains on the West by a line bearing South two chains fifty links and on the South by a line bearing East two chains To Hold unto the said Thomas Bray James Edrop and John Rowley the elder their heirs and assigns for ever 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 whereas by a certain other Deed Poll or Grant from the Crown bearing date the twenty-second day of June one thousand eight hundred and fifty-nine under the hand of His Excellency Sir William Thomas Denison Knight and under the Seal of the Colony Her Most Gracious Majesty Queen Victoria did grant unto Thomas Bray George Uhr and the Reverend Matthew Devenish Meares or the

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Licensed Incumbent for the time being and their heirs and assigns All that piece or parcel of land in the said Colony containing by admeasurement two roods be the same more or less situated in the County of Cumberland and Parish of Concord Village of Longbottom allotment number seven of section number four commencing on the North side of Burton Street at the South West corner of allotment number six appropriated for a Church of England Church and bounded thence on the South by Burton Street Westerly one chain on the West by the East boundary line of allotment number eight Northerly at right angles to Burton Street five chains on the North by the South boundary line of allotment number sixteen Easterly parallel with Burton Street one chain and on the East by the West boundary line of allotment number six aforesaid Southerly at right angles to Burton Street five chains to the point of commencement advertised in the Government Notice dated the tenth day of May one thousand eight hundred and fifty-nine To Hold unto the said Thomas Bray George Uhr and The Reverend Matthew Devenish Meares or the Licensed Incumbent for the time being their heirs and assigns for ever upon trust for the appropriation thereof as the 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 as by law established erected at Longbottom and known as St. Luke's And whereas by a certain other Deed Poll or Grant from the Crown bearing date the twenty-second day of June one thousand eight hundred and fifty-nine under the hand of His Excellency Sir William Thomas Denison Knight the Governor for the time being of the said Colony and under the Seal of the said Colony Her Most Gracious Majesty Queen Victoria did grant unto Thomas Bray George Uhr and the Reverend Matthew Devenish Meares or the Licensed Incumbent for the time being and their heirs and assigns subject to the trusts thereafter con-

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tained All that piece or parcel of land in the said Colony containing by admeasurement one acre be the same more or less situated in the County of Cumberland and Parish of Concord Village of Longbottom allotment number one of section number twelve commencing at the North West side of Wharf Street at the Southern corner of allotment number eight and bounded thence on the South East by Wharf Street South Westerly four chains to Stanley Street on the South West by Stanley Street North Westerly two chains and fifty links on the North West by the South East boundary line of allotment number two North Easterly parallel with Wharf Street four chains and on the North East by the South West boundary line of allotment number eight aforesaid South Easterly parallel with Stanley Street two chains and fifty links to the point of commencement To Hold unto the said Thomas Bray George Uhr and The Reverend Matthew Devenish Meares or the Licensed Incumbent for the time being their heirs and assigns for ever upon trust for the interment of the dead according to the use of the United Church of England and Ireland as by law established And whereas by a certain other Deed Poll or Grant from the Crown bearing date the ninth day of October one thousand eight hundred and eighty-three under the hand of His Excellency Sir Augustus William Frederick Spencer Loftus the Governor for the time being of the said Colony and under the seal of the said Colony and duly enrolled in the Lands Titles Office Sydney aforesaid as Volume 687 Folio 135 Her Most Gracious Majesty Queen Victoria did grant unto Thomas Bray Junior John Dawson and William Coles and their heirs and assigns subject to the trusts thereafter contained All that piece or parcel of land in the said Colony containing by admeasurement two acres one rood and twenty-three perches be the same more or less situated in the County of Cumberland and Parish of Concord at Longbottom commencing on the North Western side of a Road one

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chain wide at the Southern corner of two acres one rood twenty-three perches appropriated for a Burial Ground for Roman Catholics and bounded thence on the South East by that Road bearing South sixty-five degrees thirty-five minutes West three chains seventy-five links on the South West by part of the North Eastern boundary of Edmund Patterson's nine acres one rood twenty perches bearing North twenty-four degrees twenty-five minutes West six chains thirty-nine links on the North West by part of the South Eastern boundary of Adolphus Powell's nine acres one rood twenty perches bearing North sixty-five degrees thirty-five minutes East three chains seventy-five links and on the North East by the South Western boundary of the afore-said appropriation bearing South twenty-four degrees twenty-five minutes East six chains thirty-nine links to the point of commencement To Hold unto the said Thomas Bray Junior John Dawson and William Coles their heirs and assigns for ever upon trust for the interment of the dead according to the use of the United Church of England and Ireland as by law established And whereas a School House was duly erected upon the land described in the hereinbefore firstly recited Crown Grant in pursuance of the trust therein contained And whereas with respect to the land described in the hereinbefore secondly thirdly and fourthly recited Crown Grants it has by reason of circumstances which have occurred since the date thereof become inexpedient to carry out or observe the particular purpose or purposes to which the same is by the trusts of the said Grants devoted And whereas it is expedient that the land contained in the hereinbefore firstly recited Grant should be used for the purpose of erecting a Parsonage thereon And that the land contained in the second recited grant should be used for the purpose of erecting a School House thereon instead of a Parsonage as provided by the trusts of the said Grant

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And whereas it is not intended to pull down the School House at present erected as aforesaid until a new one shall have been built and erected upon the land described in the said secondly recited Grant And whereas it is also expedient in the interests of the Church of England in St. Luke's Parish Concord aforesaid that the said land contained in the hereinbefore thirdly and fourthly recited Grants should be sold and the proceeds thereof applied in manner hereinafter provided. The Synod of the Diocese of Sydney in pursuance of the powers in that behalf conferred upon it by the Constitutions for the management and good government of the United Church of England and Ireland within the Colony of New South Wales and of all powers vested in the said Synod by the "Sydney Bishopric and Church Property Act of 1887" ordains declares directs and rules as follows:—

1.—By reason of circumstances which have occurred since the creation of the express trusts upon which the hereinbefore recited parcels of land are held as aforesaid it has become inexpedient to carry out or observe the particular purpose or purposes to which the said land is by the said trusts devoted.

2.—The said land described in the firstly recited Crown Grant shall and may be used for the purpose of erecting thereon a Parsonage. And the land described in the secondly recited Crown Grant shall and may be used for the purpose of erecting thereon a School House to be used in connection with the Parish of St. Luke's Concord aforesaid.

3.—The said land described in the hereinbefore thirdly and fourthly recited Crown Grants shall be sold by public auction or private contract and either in one lot or in several lots and at such price or prices and upon such terms and conditions as the said John Dawson and William Coles may deem expedient freed from such trust as aforesaid.

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4.—The proceeds arising from the said sale shall be applied (after the payment thereof of the costs charges and expenses of and incidental to this Ordinance and the sale and conveyance of the said land in pursuance hereof) in and towards the erection of a Parsonage upon the land hereinbefore firstly described for the use and occupation of the Licensed Minister for the time being of the said Parish of St. Luke Concord aforesaid and if any surplus shall remain after the erection of the said Parsonage the same shall be applied in and towards the erection of a School House to be erected upon the land hereinbefore secondly described to be used in connection with the Parish of St. Luke as aforesaid. Provided that no part of the said proceeds shall be applied to any of the purposes hereinbefore mentioned until the Bishop shall have certified that an amount equal to the said proceeds has been obtained for the same purposes from other sources.

5.—Any part of the said proceeds not immediately applicable nor required to be applied as aforesaid shall be deposited in the names of the Reverend Canon George Harman Moreton John Dawson and William Coles or any two of them (who or any two of them are hereby appointed to receive the said proceeds from the purchaser or purchasers of the said land) at interest with any Joint Stock Company carrying on the business of Bankers in Sydney and the interest arising from such shall be dealt with and applied in the manner hereinbefore prescribed with regard to the proceeds.

6.—This Ordinance shall be styled and cited as the "St. Luke's Church Concord Burial Ground Sale Ordinance of 1889."
