

*Bishopscourt Estate Sale.*

AN ORDINANCE to authorise the sale of certain land situate at Randwick Parish of Alexandria and County of Cumberland in the Colony of New South Wales and to provide for the application of the proceeds thereof.

31 1888

*(Assented to 13 April, 1888.)*

WHEREAS by Deed Poll or Grant from the Crown bearing date the eighth day of January in the year of our Lord one thousand eight hundred and sixty six under the hand of His Excellency Sir John Young 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 the Bishop of Sydney and his Successors (*inter alia*) All that piece or parcel of land in the said Colony containing by admeasurement fifty six acres one rood and six perches be the same more or less situated in the County of Cumberland Parish of Alexandria (near Coogee) commencing at the South-East corner of J. McLerie's four acres, and bounded on the North by the South boundary line of that land, bearing West eight chains to Power Street; on the West by that Street, bearing South one chain and fifteen links, thence South thirty four degrees eighteen minutes West twelve chains and eleven links to Nathan Street; thence by Nathan Street bearing South one chain and thirty five links South seventeen degrees thirty minutes East four chains and fourteen links; and thence South eight chains and fifty four links to Allison Street; on the South by that Street bearing East twenty seven chains and fifty six links to Brook Street; on the East and North East by that Street, bearing North five degrees forty two minutes East nine chains and ninety four links, West fifty eight degrees thirty nine minutes North three chains and eighty two

---

*Bishopscourt Estate Sale.*

---

links, and thence North thirty nine degrees forty minutes West seven chains and sixty seven links to Susan Street; on the North by Susan Street, bearing West eight chains; and again on the East by a line bearing North six chains, dividing it partly from part of Allotment No. fifty six to the South East corner of J. McLerie's four acres aforesaid. To hold unto the Bishop of Sydney and his Successors for ever upon trust for the appropriation thereof as the site of an Episcopal residence for the Bishop of Sydney and his Successors. The said lands to be used and enjoyed as the site for an Episcopal residence and for Gardens pleasure grounds and pasture lands in connection with the said Episcopal residence of the Bishop of Sydney for the time being. And an Episcopal residence was subsequently erected upon the said land. And whereas under and by virtue of the authority of the "Church of England Trust Property Incorporation Act 1881" the said land was on or about the fourteenth day of November 1885 vested in the "Church of England Property Trust Diocese of Sydney." And whereas under and by virtue of the "Bishopscourt Sale and Leasing Act 1886" such portion of the said land as is described in the first Schedule to the said Act has been sold. And whereas the consent and sanction of the Synod of the Diocese of Sydney has been had and obtained to the sale of such portion of the said land as is described in the third Schedule to the said Act. And whereas with respect to the remainder of the said land it has by reason of circumstances which have occurred since the date of the said Grant become inexpedient to carry out or observe the particular purpose or purposes to which the same is by the trusts of the said Grant devoted. And whereas it is expedient in the interests of the Church of England in this Diocese that the said last mentioned land (being the said fifty-six acres one rood and six perches less the said portions described in the said first and third

---

*Bishopscourt Estate Sale.*

---

Schedules to the "Bishopscourt Sale and Leasing Act, 1886") should be sold and that the proceeds thereof should be applied in manner hereinafter provided in some other part of the said Diocese. 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 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 said last mentioned land is 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 last mentioned land shall be sold by public auction or private contract and either in one lot or in several lots and at such time or times and for such price or prices and upon such terms and conditions as the said "Church of England Property Trust Diocese of Sydney" may deem expedient freed from such trust as aforesaid.

3.—The proceeds arising from the said sale shall be applied with the sanction of the "Church of England Property Trust Diocese of Sydney" and of the Standing Committee of Synod of the said Diocese (after the payment thereof of the costs charges and expenses of and incidental to this Ordinance and the said sale and the conveyance of the said land in pursuance thereof) in or towards the satisfaction in whole or in part of the encumbrances authorised by the said "Bishopscourt Sale and Leasing Act 1886" and in or towards the purchase of lands in any other part of the said Diocese, and the erection thereon of a suitable residence or in or towards the

---

*Bishopscourt Estate Sale.*

---

purchase of lands and buildings in any other part of the said Diocese to be vested in and held by the said "Church of England Property Trust Diocese of Sydney" upon trust for the appropriation thereof as an Episcopal residence for the Bishop of Sydney and his Successors and for gardens, pleasure grounds, and pasture lands in connection with the said Episcopal residence and in making necessary additions to the said residence and in maintaining and keeping in repair the said residence gardens pleasure grounds and pasture lands.

4.—Any part of the said proceeds not immediately required to be applied as aforesaid shall be deposited in the names of the Most Reverend Alfred Barry, Bishop of Sydney, the Reverend Canon Hulton Smyth King, the Honorable Septimus Alfred Stephen, Esquire, and Thomas Allwright Dibbs, Esquire, 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 said proceeds.

5.—This Ordinance shall be styled and cited as "The Bishopscourt Estate Sale Ordinance of 1888."

---