

*Seven Hills Land Sale.*

1789

AN ORDINANCE to authorise the sale of certain lands situate within the Parramatta Domain in the Parish of Saint John and County of Cumberland in the Colony of New South Wales also certain other land situate at Toongabbie in the Parish of Prospect and County of Cumberland in the Colony of New South Wales aforesaid and to provide for the application of the proceeds thereof.

*(Assented to 7 August, 1891.)*

WHEREAS by Deed Poll or Grant from the Crown bearing date the fourteenth day of November, one thousand eight hundred and seventy-two under the hand of His Excellency Sir Hercules George Robert Robinson Knight Commander of the Most Distinguished Order of Saint Michael and Saint George Governor and Commander-in-Chief of the Colony of New South Wales and its Dependencies and Vice-Admiral of the same for the time being and under the seal of the said Colony her Most Gracious Majesty Queen Victoria did grant unto Matthew Woodward Pearce, Edward Henry Pearce, and John Luke (senior), their heirs and assigns All that piece or parcel of land in the said Colony containing by admeasurement two roods more or less situate in the county of Cumberland and Parish of Saint John within the Parramatta Domain commencing on the Southern side of a road one chain wide at the North Eastern corner of the two roods appropriated for a Church of England Parsonage and bounded thence on the North by that road bearing East twelve degrees South one chain on the East by the Western boundary line of the one acre appropriated for a Church of England Church bearing South twelve degrees West five chains On the South by part of a Northern boundary line of portion

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one hundred and thirty-eight bearing West twelve degrees North one chain and on the West by the Eastern boundary line of the appropriation for a Church of England Parsonage aforesaid bearing North twelve degrees East five chains to the point of commencement. To hold unto the said Matthew Woodward Pearce, Edward Henry Pearce, and John Luke (senior) 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 fourteenth day of November one thousand eight hundred and seventy-two under the hand of His Excellency Sir Hercules George Robert Robinson Knight Commander of our Most Distinguished Order of Saint Michael and Saint George Governor and Commander-in-Chief of our Colony of New South Wales and its Dependencies and Vice-Admiral of the same and under the seal of the Colony Her Most Gracious Majesty Queen Victoria did grant unto Matthew Woodward Pearce, Edward Henry Pearce and John Luke (senior) and their heirs and assigns All that piece or parcel of land in the said colony containing by admeasurement two roods more or less situated in the County of Cumberland and Parish of Saint John within the Parramatta Domain commencing on the Southern side of a road one chain wide at a point bearing East twelve degrees South and distant nine chains and thirty links from the North Western corner of portion one hundred and thirty-eight and bounded thence on the North by that road bearing East twelve degrees South one chain On the East by the Western boundary line of the two roods appropriated for a Church of England School bearing South twelve degrees West five chains On the South by part of a Northern boundary line of portion one hundred and thirty-eight aforesaid bearing West twelve degrees North one chain and on the West by an Eastern bound-

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dary line of that portion bearing North twelve degrees East five chains to the point of commencement To hold unto the said Matthew Woodward Pearce, Edward Henry Pearce and John Luke (senior) 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. And whereas by a certain other Deed Poll or Grant from the Crown bearing date the fourteenth day of November one thousand eight hundred and seventy two, under the hand of His Excellency Sir Hercules George Robert Robinson Knight Commander of our Most Distinguished Order of Saint Michael and Saint George Governor and Commander-in Chief of our Colony of New South Wales and its Dependencies and Vice-Admiral of the same and under the seal of the Colony Her Most Gracious Majesty Queen Victoria did grant unto Matthew Woodward Pearce, Edward Henry Pearce and John Luke (senior) and their heirs and assigns All that piece or parcel of land in the said Colony containing by admeasurement One acre more or less situated in the County of Cumberland and Parish of Saint John within the Parramatta Domain commencing on the Southern side of a road one chain wide at the North Eastern corner of the two roods appropriated for a Church of England School and bounded thence on the North by that road bearing East twelve degrees South two chains, on the East by a line bearing South twelve degrees West five chains on the South by part of a Northern boundary line of portion one hundred and thirty-eight bearing West twelve degrees North two chains and on the West by the Eastern boundary line of the appropriation for a Church of England School aforesaid bearing North twelve degrees East five chains to the point of commencement. To hold unto the said Matthew Woodward Pearce, Edward Henry Pearce and

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John Luke (senior) upon trust for the erection thereon of a Church of the United Church of England and Ireland as by law established. And whereas by a certain Deed or Conveyance bearing date the thirtieth day of August one thousand eight hundred and seventy nine Philip Augustus Pearce conveyed and assured unto the Bishop of Sydney and his successors All that piece or parcel of land containing by admeasurement one acre more or less situated at Toongabbie in the Parish of Prospect and County of Cumberland being part of thirty acres originally granted to Francis Holligan by Crown grant Commencing on the East side of the Seven Hills road at a point distant Southerly eleven chains and twelve links from the intersection of the old Hawkesbury Road with the aforesaid Seven Hills Road Bounded on the North East by a line South Easterly bearing South forty seven degrees fifty minutes East two chains seventy-three links On the South Eastward by a line South Westerly bearing South forty-two degrees ten minutes West three chains ninety-eight links. On the South West by a line North Westerly bearing North forty-seven degrees fifty minutes West two chains fifty-two and a-half links and on the Westward by the Seven Hills Road North Easterly to the point of commencement To hold unto and to the use of the said Bishop of Sydney and his successors for ever upon trust for the erection of a Church of the United Church of England and Ireland also for the erection of a Parsonage and School House in connection with the said United Church of England and Ireland as by law established Provided always that the said land or any part thereof should not at any time be used as a Burial Ground or Cemetery. And whereas with respect to the land comprised in the hereinbefore firstly secondly and thirdly recited Crown grants it has by reason of circumstances which have occurred since the date thereof become inexpedient to carry out or observe the trusts upon which the said lands are respectively

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held And whereas it is expedient in the interests of the Church of England in the Parish of Prospect and Seven Hills that twenty feet of the said land contained in the hereinbefore recited deed or conveyance shall be sold and the proceeds applied in manner hereinafter provided And whereas the necessary written consent of Incumbent Churchwardens and Donor have been obtained. 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" and the "Church of England Property Act of 1889" 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 described lands are held as aforesaid it has become inexpedient to carry out or observe the trusts upon which the same are respectively held.

2. It shall be lawful for the Trustees or Trustee of the said lands respectively to sell the whole of the lands comprised in the said hereinbefore recited grants and twenty feet frontage to Seven Hills road by a depth of two chains and fifty-two links more or less being portion of the land described in the said recited Deed or Conveyance by public auction or private contract, and either in one lot or in several lots at such time or times at such price or prices and upon such terms and conditions as the said Trustees or Trustee respectively may deem expedient freed and discharged from the trusts aforesaid.

3. The proceeds arising from the said sale shall be applied by the "Sydney Church Property Trust"

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(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 or towards the erection of a Parsonage for the use and occupation of the Licensed Incumbent for the time being of the said Parish of Prospect and Seven Hills aforesaid.

4. This Ordinance shall not come into operation, so far as regards the sale of any land granted by the Crown upon trust without the consent of the Bishop and the Standing Committee of the Diocese.

5. This Ordinance shall be styled and cited as the Saint Andrew's Church Seven Hills Church Ground Sale Ordinance of 1891.

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