



Western Australia.

ANNO QUINQUAGESIMO SEXTO

VICTORIÆ REGINÆ.

PRIVATE ACT.

AN ACT to vest in "The Diocesan Trustees of the Church of England in Western Australia" Perth Building Lots Nos. 1 and 2, Section E, and to empower the said Trustees to sell the said lands, and for other purposes.

[Assented to, 13th January, 1893.]

WHEREAS by a certain Indenture of Conveyance, bearing date the tenth day of May one thousand eight hundred and seventy-two and made between Joseph Hardey of Perth in the Colony of Western Australia Gentleman and George Johnson of Guildford in the said Colony Gentleman of the first part, John Crane of Perth aforesaid Yeoman of the second part, and the Right Reverend Matthew Blagden Hale Doctor of Divinity Lord Bishop of Perth aforesaid of the third part, All those several pieces or parcels of land hereditaments and premises marked and known in the maps

Preamble.

56° VICTORIÆ, PRIVATE ACT.

Perth (P.) Orphanage Lands Sale.

and books of the Survey Office as "Building Lot No. 1, Section E" and "Building Lot No. 2 Section E" with the appurtenances thereto respectively were granted unto and to the use of the said Lord Bishop of Perth and his successors Bishops of Perth for ever free from encumbrances to the end nevertheless that the said parcels of land hereditaments and premises might be used for the purposes of an Orphanage for male and female children and called "The Perth Protestant Orphanage" and subject to such Rules and Regulations as might from time to time be in force with reference to the said Orphanage and for no other use intent or purpose whatsoever; AND WHEREAS by virtue of the Acts of the Legislative Council of this Colony 38 Victoria No. 18 (now repealed) and 52 Victoria No. 2 all lands or other property vested at the time of the passing of the first mentioned Act in the said Right Reverend Matthew Blagden Hale as Trustee for the Church of England in Western Australia are now vested in the Diocesan Trustees of the Church of England in Western Australia; And whereas it is desirable that the said lands hereinbefore particularly mentioned should also be vested in the said Diocesan Trustees upon and subject to the same trusts and uses as the said Matthew Blagden Hale held the said lands but subject also to the provisions of this Act; And whereas the Committee of Management of the said Orphanage are desirous of selling the said lands and of employing the proceeds of such sale in the purchase of other lands more suitable for the purposes of the said Orphanage and in the erection of new buildings thereon: Be it therefore enacted:—

Lands vested in the
Diocesan Trustees.

1. SUBJECT to the provisions of this Act the said Perth Building Lot No. 1 Section E and Perth Building Lot No. 2 Section E together with all buildings thereon and all rights easements and appurtenances thereto belonging are hereby vested in the Diocesan Trustees of the Church of England in Western Australia for an estate in fee simple upon and subject to the trusts and uses declared by the hereinbefore recited Indenture of the tenth day of May one thousand eight hundred and seventy-two.

Trustees may sell.

2. IT shall be lawful for the said Diocesan Trustees at any time hereafter to sell the said lands and premises hereby vested in them or any part or parts thereof and to assure the same to a purchaser freed and absolutely discharged from the trusts and uses declared by the said recited Indenture and no purchaser shall be concerned to see to the application of his purchase money.

Application of
proceeds of sale.

3. THE proceeds of sale of the said lands shall be applied by the said Trustees after payment of all expenses of and incidental to any sale in the purchase of other lands in fee simple in the city of Perth or elsewhere in Western Australia and so far as such

56° VICTORIÆ, PRIVATE ACT.

Perth (P.) Orphanage Lands Sale.

moneys may extend in the erection of buildings and other improvements upon such last mentioned lands and all lands so purchased by the said Trustees as last aforesaid shall be held by them upon and subject to the trusts and uses declared by the said Indenture of the tenth day of May one thousand eight hundred and seventy-two.

In the name and on behalf of the Queen I hereby assent
to this Act.

W. C. F. ROBINSON, Governor.