

## No. XXVIII.

An Act to authorize the resumption by the Crown and dedication as a site for the Prince Alfred Memorial Hospital of a portion of the Land granted to the University of Sydney. [25th April, 1873.]

WHEREAS by a Deed of Grant under the Great Seal of the Colony Preamble. and dated the eighteenth day of January in the year of our Lord one thousand eight hundred and fifty-five the land in the said deed particularly described was granted unto the University of Sydney and their successors for ever for the purposes and upon the trusts therein specified and declared as to four several portions of the said land so thereby granted to consist each of not less than eighteen acres to be selected by the Senate of the said University that is to say as to one such portion of the said land thereby granted upon trust when and so soon as a College in connection with the United Church of England and Ireland shall have been duly established and incorporated as a College within the said University and the founders thereof or subscribers to the same shall have complied with the conditions of public endowment mentioned in the Act of the Governor and Legislative Council passed in the eighteenth year of Her Majesty's Reign intituled "*An Act to provide for the establishment and endowment of Colleges within the University of Sydney*" to make and execute a sub-grant of such piece or parcel of land to Trustees for such College for the purposes and upon the conditions thereafter in the said deed of grant mentioned And as to each of the three other such portions of the land by the said deed granted to the said University upon the like trusts for a College in connection with each of the respective Churches of Rome Scotland and the Religious Society denominated "Wesleyan Methodists" when such College should have been in like manner established and incorporated as a College within the said University and the founders thereof or subscribers to the same should have complied with the said conditions of public endowment respectively And whereas it was in the presents now under recital provided that the said University should not be obliged to make any such sub-grant upon trust for any or either of such Colleges which should not have become so established and incorporated or whereof the founders or subscribers to the same should not have complied with the said conditions of public endowment within five years from the date of the issue of the said presents And it was therein further provided that if any or either of the above declared trusts should lapse by reason of such failure as in the preceding proviso mentioned or if any or either of the said four portions of land so set apart for sub-grants as thereinbefore provided should after the sub-grant thereafter (in accordance with the provisions therein contained) become revested in the said University under or by virtue of the said proviso then and in either of such cases the said University should hold the portions or portion of land in respect of which any such lapse should have occurred or which should have become revested as aforesaid upon trust to make and execute such sub-grant or sub-grants thereof or of any portion or portions thereof respectively as should be in that behalf directed by the Governor for the time-being with the advice of the Executive Council upon trust for such College or Colleges within

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within the said University as the said Governor and Executive Council should think fit and as should be in Her Majesty's behalf named and declared by an instrument or instruments to be executed by the Governor for the time-being under the Great Seal of the Colony And whereas one of such portions of land so set apart as aforesaid being the portion selected by the Senate of the said University for the Religious Society denominated "Wesleyan Methodists" in accordance with the provisions in the said deed contained in that behalf has lapsed by reason of the non-compliance of the said Religious Society as aforesaid with the said conditions of public endowment within the said period of five-years And whereas it has been considered desirable that so much of the said lapsed portion of land as is more particularly described in the Schedule hereto shall be resumed by Her Majesty her heirs and successors in order that a grant thereof should in accordance with the conditions and subject to the trusts hereinafter specified and declared be made to the subscribers towards a fund to be devoted to the erection of a hospital to commemorate the preservation of the life of His Royal Highness Prince Alfred which said subscribers were incorporated by an Act of the Legislature passed during this present session of Parliament by the name of "The Prince Alfred Hospital" And whereas the Senate of the said University have consented to such resumption and grant and the Trustees of the said fund on behalf of the said subscribers thereto are desirous that the same should be carried into effect 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:—

Resumption of part  
of University land  
by the Crown

and vesting thereof  
in the "Prince  
Alfred Hospital."

Conditions on which  
land is to be held.

1. The land described in the Schedule hereto and being part of the said lapsed portion of land hereinbefore referred to and containing by admeasurement eleven acres three roods and twenty-six perches more or less shall be and the same is hereby resumed by Her Majesty her heirs and successors free from all trusts conditions and provisions respecting the same contained in the said in part recited deed of grant and the said land subject to the conditions reservations and provisions hereinafter contained shall be and the same is hereby vested in the said body corporate so incorporated by the name of the "Prince Alfred Hospital."

2. The said body corporate shall hold the said land subject to the conditions reservations and provisions following that is to say—

- (1.) They the said body corporate shall within three years from the time of the passing of this Act commence the erection of the hospital mentioned in the next preceding section.
- (2.) They shall expend on the erection of the said hospital and the buildings connected therewith a sum of not less than fifteen thousand pounds.
- (3.) The said hospital when completed and ready for the reception of inmates shall be open for the reception of all persons without any distinction whatsoever.
- (4.) The said body corporate shall reserve for the establishment by the University of a medical school in connection with the said hospital a portion of the said land not being less than two nor more than three acres.
- (5.) They shall make proper provision for the drainage and sewerage of the said hospital and carry out the same subject to the approval of the Senate of the said University.
- (6.) They shall submit for approval of the said Senate all plans and elevations for the said hospital and for all buildings connected therewith and also all plans for laying out the grounds to be used in connection with such hospital and buildings.

(7.)

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- (7.) There shall be reserved for the use of the public a road or pathway through the said portion of land of such width and between such points as the Governor with the advice of the Executive Council may prescribe in that behalf.

And upon the breach of any of the said conditions it shall be lawful for the Governor with the advice of the Executive Council to resume the said portion of land together with all buildings erected thereon for the use of Her Majesty her heirs and successors.

3. Notwithstanding anything to the contrary contained in the "Prince Alfred Hospital Act" all appointments of the medical or surgical officers of the said Hospital shall be vested in a Board to consist of the Senate of the said University and the Directors of the said Hospital acting conjointly and the power of making any such appointment may be exercised at any meeting or adjourned meeting of such Board by a majority of the members thereof at which meeting there shall be present not fewer members than a quorum of such Senate as defined by the Act sixteenth Victoria number twenty-eight and a quorum of the Directors of the said Hospital.

Power to appoint medical and surgical officers of Hospital.

4. It shall be lawful for the Senate of the said University to make by-laws regulating the mode of appointment of the professors and lecturers on the staff of the said medical school and for the Board described in the next preceding section to make by-laws regulating the mode in which the students of the said medical school shall have access to and the course of studies to be pursued in the said hospital. And such by-laws shall on approval by the Governor with the advice aforesaid be binding on the said University and on the Prince Alfred Hospital and shall be laid before Parliament within fourteen days after such approval if Parliament be then sitting and if not then within fourteen days after the commencement of the next ensuing session thereof.

By-laws regulating appointments &c. in medical school course of studies in hospital &c.

5. This Act may be cited as the "Prince Alfred Memorial Hospital Site Dedication Act 1873."

Short title.

SCHEDULE.

Eleven acres three roods six perches county of Cumberland parish of Petersham (portion of the University Lands) Commencing on the eastern building-line of the Missenden Road at the southern corner of the St. John's College grant and bounded thence on the west by that building-line bearing south twenty-four degrees twenty-six minutes east eight chains and nine links on the south by a line bearing sixty-five degrees thirty-four minutes east nine chains and fifty-four links to the left bank of a watercourse on the east by that watercourse downwards to its intersection therewith by the north-easterly prolongation of the south-eastern boundary of the aforesaid St. John's College grant and on the north-west by a line partly forming the south-eastern boundary of that grant bearing south thirty-four degrees thirty-five minutes west thirteen chains and forty-four links to the point of commencement.