

*Nuwara Eliya Episcopal Church.***No. 31 of 1890.**

An Ordinance to enable the Trustees of the Episcopal Church at Nuwara Eliya, known as Holy Trinity Church, to sell a portion or portions of Land vested in them as Trustees of such Church.

WHEREAS by virtue of a conveyance bearing date at Kalutara, the twenty-eighth day of October, One thousand Eight hundred and Fifty-three, the late Francis James Templer granted, bargained, sold, assigned, and set over for the consideration therein named a tract of land at Nuwara Eliya, bounded on the north, east, and west by other land belonging to the said Francis James Templer, and on the south and south-west by a river, and containing in extent thirty acres according to a survey to the said conveyance annexed, to Robert Temple, Samuel Baker, and Raymond Richard Pelly, the then trustees of the Episcopal Church at Nuwara Eliya, now known as Holy Trinity Church, and to their successors, the trustees for the time being : And whereas the said tract of land is of greater extent than is required for the purposes of the said church, and whereas Cecil John Reginald Le Mesurier, John Helps Starey, William Nock, and John Alexander Rossiter, the present trustees of the said church, are desirous of selling such portion or portions of the said tract of land as in their opinion is or are unnecessary to be retained for the purposes of the said church, and have, through the standing committee of the synod of the Church of England in the diocese of Colombo, applied to the Government for an Ordinance to enable them or their successors, the trustees for the time being of the said church, to sell and convey such portion or portions of the said tract of land and the building or buildings standing thereon for such price or prices as to them or the trustees for the time being may seem fit and proper : Be it therefore enacted by the Governor of Ceylon, by and with the advice and consent of the Legislative Council thereof, as follows :

Preamble.

1 It shall be lawful for the said Cecil John Reginald Le Mesurier, John Helps Starey, William Nock, and John Alexander Rossiter, or the trustees for the time being of the Episcopal Church at Nuwara Eliya, known as Holy Trinity Church, in their absolute discretion to sell any portion or portions of the said tract of land by public auction or private contract, and subject or not at the absolute discretion of the above-named trustees or the trustees for the time being of the said church to any stipulations as to title, evidence, indemnity, the mode of paying the purchase-money, or otherwise, and to buy in the said portion or portions of the said tract of land, and to rescind or vary any contract for sale, and resell without being answerable for any loss, and to convey the same respectively in such manner as shall be thought expedient for effecting such sale.

Trustees authorized to sell at their discretion any portion or portions of land vested in them as trustees.

Purchase-money to be vested in trustees for the trusts and purposes of the Ordinance No. 12 of 1846.

2 The said Cecil John Reginald Le Mesurier, John Helps Starey, William Nock, and John Alexander Rossiter, or the trustees for the time being of the said church, shall stand possessed of the money to arise by such sale or sales, after payment of the expenses attending such sale or sales, upon and for the trusts and purposes, and subject to the powers, provisoes, and declarations expressed in the Ordinance No. 12 of 1846, in respect of property and moneys vested in trustees elected and appointed under the said Ordinance as trustees of any church.

Receipt of trustees to be a discharge to persons purchasing any portion of the property.

3 The receipt in writing of the said Cecil John Reginald Le Mesurier, John Helps Starey, William Nock, and John Alexander Rossiter, or the trustees for the time being of the said church, for the purchase-moneys of any portion or portions of the property hereby authorized to be sold shall effectually discharge the person or persons paying the same therefrom, and from being accountable for the loss, misapplication, or non-application thereof, and from being concerned to see to the application thereof.

Saving clause.

4 Nothing in this Ordinance contained shall affect the rights of Her Majesty, her heirs, and successors, or of the lessee, his executors, administrators, and assigns under the lease, the validity of which was established by the Ordinance No. 22 of 1865, intituled "An Ordinance to establish the validity of a Lease of a portion of the Parsonage Land at Nuwara Eliya."

17th December, 1890. _____