

## No. XXXIX.

An Act to enable the Trustees of the Benevolent SYDNEY BENEVOLENT  
SOCIETY.  
Society at Sydney to sell and dispose of certain  
Lands and to apply the proceeds in and  
towards the erection of additional buildings.  
[1st October, 1850.]

WHEREAS it is intended by His Excellency the Governor of the Preamble  
Colony of New South Wales to make and issue in favor of the  
Honorable Edward Deas Thomson Esquire now President of the Benevolent  
Society at Sydney the Honorable Campbell Drummond Riddell  
Esquire now Treasurer thereof and George Allen Esquire now the  
Honorary Secretary thereof a Grant of a certain piece or parcel of  
land containing two acres and five perches situate in the County of  
Cumberland and in the Parish of Saint Lawrence in the City of Sydney  
commencing at the north-east corner of the Wesleyan Chapel allotment  
and bounded on the north-west by Parramatta-street being lines north-  
easterly eighty-three links then twenty-one links then thirteen links  
then nine links then two chains ninety-five links on the north-east by  
Devonshire-street one chain twenty-four links easterly towards the  
east by George-street nine chains forty-five links southerly towards the  
west by the Botany Road five chains thirteen links northerly to the  
south-west corner of the Wesleyan Chapel allotment thence on the  
north

*Sydney Benevolent Society.*

north and west by that allotment being lines bearing east twenty-seven degrees forty-five minutes north one chain thirty-six and a half links and then north twenty-eight degrees forty-five minutes west two chains to the commencing corner in Parramatta-street to hold to the said Edward Deas Thomson Campbell Drummond Riddell and George Allen as Trustees for the Benevolent Society at Sydney in lieu of other land originally promised to the said Institution but now required by the Government for other public uses And whereas by Letters Patent under the Great Seal of the Colony and bearing date the thirtieth day of January one thousand eight hundred and forty-one the piece or parcel of land next mentioned was in pursuance of a certain Report of the Commissioners for reporting on Claims to Grants of Land granted to Richard Jones Esquire as Treasurer for the time being of the said Benevolent Society that is to say an allotment of land containing by admeasurement ten perches situate in the City of Sydney Parish of St. Andrew and County of Cumberland being allotment number twenty of section number twenty-three and bounded on the east by number five allotment bearing north twelve degrees west fifty-nine links on the north by number nineteen allotment bearing west fifteen degrees fifteen minutes south one hundred and five links on the west by Kent-street bearing south fifteen degrees east fifty-nine links and on the south by number twenty-one allotment bearing east fifteen degrees thirty minutes north one hundred and two links And whereas the said several parcels of land are so situated as not to be required for the direct use of the said Institution and the inmates of the Asylum belonging to the said Society or otherwise in connection therewith And whereas it has been deemed expedient by the Managing Officers of the said Society and by the said Governor and his Executive Council that the said intended Trustees should have power to sell and dispose of the said respective pieces or parcels of land in order to raise a sum of money required for the erection of additional buildings for the accommodation of the inmates of the said Asylum and such other poor and infirm persons as may hereafter be admitted therein and that the proceeds of the sale or sales thereof should be applied accordingly Be it therefore enacted by His Excellency the Governor of New South Wales with the advice and consent of the Legislative Council thereof That when and so soon as such grant as aforesaid shall have been issued to the said Edward Deas Thomson Campbell Drummond Riddell and George Allen or to such other persons as the said Governor may think proper to name therein as Trustees of the said Benevolent Society it shall be lawful for the said Trustees and in case of the death or resignation of any of them for the remaining Trustees or Trustee to sell and dispose of the said piece or parcel of land so about to be granted as aforesaid and also for the said Trustees to sell and convey the said other piece or parcel of land and the said several pieces or parcels of land shall or may be so sold or disposed of either by public auction or private contract and either in one lot or several lots as the said Trustees may think most expedient for such price or prices as can be reasonably had or obtained for the same and when sold to convey the same or any parts or part thereof to the purchaser or purchasers thereof and thereupon the same respectively shall vest absolutely in the said purchasers or purchaser their or his heirs and assigns freed and discharged from all or any of the trusts affecting the same in the hands of the said Trustees or of the said Richard Jones as the case may be.

Trustees of Benevolent Society empowered to sell certain pieces or parcels of land.

2. And be it enacted That the receipt of the said Treasurer for the time being of the said Society for the money to arise from the sale of the said pieces or parcels of land or either of them or any part or parts thereof shall be a sufficient discharge to the purchaser or purchasers

Treasurer's receipts to be valid discharges for payment of purchase money.

*Cruelty to Animals.*

purchasers thereof and shall wholly exonerate him or them from seeing to the application thereof and from all liability as to the misapplication or nonapplication thereof.

3. And be it enacted That it shall be lawful for the said Trustees or the remaining Trustees in case of the death or resignation of any of them to employ the proceeds of such sale or sales in the erection of such additional buildings in connection with the present buildings occupied and used as the Benevolent Asylum at Sydney and upon some part of the land now used and enjoyed and enclosed therewith as may be proposed by the said Trustees and shall be approved of by His Excellency the said Governor and his Executive Council and that all such sums of money arising from the said sale or sales which may remain (if any such shall remain) after the erection and completion of such additional buildings shall be held by the said Trustees upon Trust to be applied for the benefit of the said Benevolent Society and for the inmates of the said Asylum from time to time in such manner and in such sums as the said Trustees shall recommend and as the said Governor and Executive Council may from time to time direct and appoint.

4. Provided always and be it enacted That nothing in this Act contained shall be deemed to affect or apply to any right title or interest of Her Majesty Her Heirs or Successors or of any body or bodies politic or corporate or of any other person or persons excepting such bodies politic or corporate or other person or persons as are mentioned in this Act or of those claiming from or under her him or them.

5. And be it enacted That this Act shall be deemed and taken to be a Public Act and shall be judicially taken notice of as such by the Judges of the Supreme Court of New South Wales and by all other Judges Justices and others within the Colony of New South Wales and its Dependencies without being specially pleaded.

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