

No. X.

BENEVOLENT
SOCIETY.
—

An Act to enable the Trustees of the Benevolent Society at Sydney to sell and dispose of certain Lands and to apply the proceeds in and towards the erection of additional Buildings.
[27th April, 1870.]

Preamble.

WHEREAS by a Deed Poll or Grant from the Crown bearing date the seventh day of September in the year of our Lord one thousand eight hundred and fifty-seven under the hand of His Excellency Sir William Thomas Denison the Governor for the time-being of the Colony of New South Wales and under the Seal of the said Colony Her Most Gracious Majesty Queen Victoria did grant unto the Honorable Edward Deas Thomson then President of the Benevolent Society at Sydney Hutchinson Hothersall Browne then Treasurer thereof and the Honorable George Allen their Honorary Secretary thereof their heirs and assigns all that piece or parcel of land in our said territory containing by admeasurement two roods and twenty-one perches be the same more or less situated in the county of Cumberland parish of Saint Laurence and city of Sydney commencing at the north-eastern intersection of Botany-street with George-street South and bounded on the south-west by Botany-street bearing north-westerly two chains and thirty-eight links to the southern corner of the Benevolent Asylum land on the west by a line of fence forming the eastern boundary of that land bearing north eleven degrees east four chains and fifty links to the fence forming the south-western boundary line of the railway land on the north-east by that fence bearing south-easterly three chains and two links and on the east by a fence forming the western boundary line of the said railway land bearing south eleven degrees west three chains and seventy-three links to the point of commencement at the north-eastern intersection of George and Botany streets aforesaid together with the rights members and appurtenances thereunto belonging to hold unto and to the use of the said Edward Deas Thomson Hutchinson Hothersall Browne and George Allen their heirs and assigns as Trustees for the purposes hereinafter mentioned yielding and paying therefor yearly the quit rent or sum of one farthing if demanded upon trust that the said piece or parcel of land should be at all times thereafter set apart maintained and used by the said grantees their heirs and assigns for the benefit of the said Benevolent Society and for no other purpose whatsoever And whereas the said parcel of land is 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 that the said Trustees or other the Trustees for the time-being of the said land or for a majority of them should have power to sell and dispose of the said piece or parcel 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 should be applied accordingly 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:—

Small Debts Recovery Act Amendment.

1. That it shall be lawful for the Trustees for the time-being of the said land or for a majority of them to sell and dispose of the said land either by public auction or private contract 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 to convey the same or any parts or part thereof to the purchaser or purchasers thereof and thereupon the same shall vest absolutely in the said purchaser or purchasers his or their heirs and assigns freed and discharged from all or any of the trusts affecting the same in the hands of the said Trustees.

Trustees of Benevolent Society empowered to sell certain land.

2. The receipt of the Treasurer for the time-being of the said Society for the money to arise from the sale or sales of the said piece or parcel of land or any part or parts thereof shall be a sufficient discharge to the purchaser or 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.

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

3. It shall be lawful for the Trustees for the time-being or a majority of them to employ the proceeds of such sale or sales in the erection of such additional buildings in connection with the present building occupied and used as the Benevolent Society 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 as shall be approved of by His Excellency the Governor for the time-being of the said Colony 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 of 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 or the majority of them shall recommend and as the said Governor and Executive Council may from time to time direct and appoint.

Employment of proceeds of sale.

4. Provided always and be it enacted that nothing in this Act shall be deemed to affect or apply to any right title or interest of Her Majesty Her Heirs or Successors or 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.

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