

MACQUARIE-STREET
ROMAN CATHOLIC
SCHOOL SITE SALE.

An Act to enable the Most Reverend John Bede Polding the Very Reverend Samuel John Austin Sheehy the Very Reverend John Rigney the Reverend Michael Joseph Dwyer and James Mullins Esquire as Trustees of certain Land situated in Macquarie-street in the City of Sydney to sell the said land and to provide for the appropriation of the proceeds thereof.
[24th February, 1874.]

Preamble.

WHEREAS by an Indenture bearing date the twenty-eighth day of December one thousand eight hundred and forty-three and made between John McKenny William Schofield Edward Sweetman Thomas Wheaton Bowden John Jones Mark Blanchard William John Munce John Von Mangerhausen Weiss and Joseph William Brown of the one part and the Most Reverend John Bede Polding the Very Reverend Francis Murphy the Reverend John McEncroe John Hubert Plunkett and Roger Therry of the other part All that parcel of land (part of the land comprised in a certain deed poll or grant from the Crown to Benjamin Carvozzo Walter Lawry and Ralph Mansfield under the hand of His Excellency Lachlan Macquarie then Governor of New South Wales and the seal of the said Colony and bearing date on or about the ninth day of January one thousand eight hundred and twenty-one) containing twenty-two perches situate in the City of Sydney Bounded on the east side by Macquarie-street bearing north two and two-third degrees west fifty-six feet on the north by a line bearing west two and one-third degrees south one hundred and seven feet on the west by a line bearing south one-quarter of a degree east fifty-six feet and on the south by a line bearing east two and a half degrees north one hundred and nine feet to Macquarie-street aforesaid dividing it from the residue of the said grant was conveyed and assured unto the said John Bede Polding Francis Murphy John McEncroe John Hubert Plunkett and Roger Therry in trust to preserve erect maintain and keep thereon a school-house or charitable institution for the education or use of children of parents or of others professing the Roman Catholic Religion in New South Wales And whereas the said Francis Murphy John McEncroe and John Hubert Plunkett have since departed this life And whereas the said Roger Therry has since departed from the Colony of New South Wales and is permanently resident out of the said colony And whereas by an indenture dated on or about the twentieth day of July one thousand eight hundred and seventy-three and made between the said John Bede Polding and Roger Therry of the first part Eyre Goulburn Ellis of the second part and the said Samuel John Austin Sheehy John Rigney Michael Joseph Dwyer and James Mullins of the third part the said Roger Therry did disclaim and renounce the trusts of the said indenture of the twenty-eighth day of December one thousand eight hundred and forty-three And the said John Bede Polding by virtue of and in accordance with the provisions of the sixty-third section of the "Trust Property Act of 1862" did appoint the said Samuel John Austin Sheehy John Rigney Michael Joseph Dwyer and James Mullins to be trustees of the said indenture in the stead of the said Francis Murphy John McEncroe John Hubert Plunkett and Roger

Deniliquin and Moama Railway.

Roger Therry And whereas the said land is not required for the purpose aforesaid as there are other Roman Catholic Schools in the neighbourhood And it is expedient that the said land should be sold and that the proceeds to arise from such sale should be laid out upon other lands to be held upon similar trusts 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 :—

1. From and after the passing of this Act it shall be lawful for the said John Bede Polding Samuel John Austin Sheehy John Rigney Michael Joseph Dwyer and James Mullins as such trustees as aforesaid their heirs and assigns to sell and dispose of the said land by public auction or private contract and either in one lot or in several lots as they shall deem 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 part or parts thereof to the purchaser or purchasers thereof in fee simple freed and discharged from the said trusts affecting the same and receipt in writing of the said trustees their heirs or assigns shall absolutely discharge the purchaser or purchasers of the said land or any part or parts thereof from the purchase money payable by him or them respectively and shall exonerate him or them from seeing to the application of the said purchase money and from all liability as to the mis-application or non-application thereof.

2. The said trustees their heirs or assigns shall stand possessed of all moneys arising from any and every sale or sales as aforesaid upon trust to lay out the proceeds of such sale upon another piece of land in the said City of Sydney to be held by the said trustees their heirs and assigns upon trust as a site for a Roman Catholic School and to apply the remainder if any of the said proceeds in or towards the erection and maintenance of a school-house thereon And the receipts of any person or persons to whom any moneys shall be paid under the provisions of this Act shall be a valid and complete discharge to the said trustees their heirs or assigns for such moneys.
