

**An Act to enable the Very Reverend Samuel John Austin Sheehy the Reverend Michael John Dwyer John James Curran John Williamson and Patrick Mulcahy as Trustees of certain Land on the Old Cook's River Road in the Parish of Petersham to sell the said Land and to provide for the application of the proceeds thereof. [14th May, 1879.]**

**Preamble.**

WHEREAS by a deed of grant bearing date the first day of December one thousand eight hundred and seventy four Her Majesty Queen Victoria did grant unto the very Reverend Samuel John Austin Sheehy the Reverend Michael John Dwyer John James Curran John Williamson and Patrick Mulcahy being respectively Trustees nominated and appointed under and by virtue of an Act of the Governor and Legislative Council of New South Wales made and passed in the seventh year of the reign of His late Majesty King William the fourth intituled "*An Act to promote the building of Churches and Chapels and to provide for the maintenance of Ministers of Religion in New South Wales*" and to their heirs and assigns all that piece or parcel of land in the Colony of New South Wales containing by admeasurement two roods be the same more or less situated in the county of Cumberland and parish of Petersham on the old Cook's River Road near Chippendale commencing on the western side of the old Cook's River Road at a point bearing south seven degrees fifteen minutes west and distant seven chains and forty-eight links from the north-eastern corner of E. S. Hall's nine acres compensation grant and bounded thence on the east by that road bearing south seven degrees fifteen minutes west three chains and fifty links on the south by the northern boundary-line of a measured portion of two roods appropriated for a public school bearing west seven degrees fifteen minutes north two chains and ninety-one links to a road twenty feet wide and on the north-west by that road dividing it from part of E. S. Hall's nine acres aforesaid bearing north forty-six degrees thirty-two minutes east four chains and fifty-five links to the point of commencement

*Chippendale Roman Catholic Church Land Sale.*

commencement to hold unto the said trustees their heirs and assigns for ever upon trust for the appropriation thereof as the site of a dwelling-house garden and other appurtenances for the clergyman duly appointed to officiate in the Roman Catholic Church erected near Chippendale in conformity with the provisions of the said Act so far as the same might apply to the trusts of the said grant. And whereas the church referred to in the said deed of grant is known as the Church of St. Benedict and is erected on land situated at the corner of Parramatta-street and Abercrombie-street in the City of Sydney. And whereas the parcel of land comprised in the said deed of grant is not conveniently situated for the purposes of the trusts of the said grant and it is considered desirable that the said land should be sold and the proceeds thereof applied in or towards the purchase of another parcel of land in a more convenient site in the said city 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 very Reverend Samuel John Austin Sheehy the Reverend Michael John Dwyer John James Curran John Williamson and Patrick Mulcahy as such trustees as aforesaid their heirs or assigns to sell and dispose of the land comprised in the said deed of grant 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 to convey the same or any part or parts thereof when sold to the purchaser or purchasers thereof in fee simple freed and discharged from the said trusts affecting the same. And the 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 in respect of any mis-application or non-application thereof.

Power to Trustees to sell and convey land.

2. The said trustees their heirs or assigns shall stand possessed of the moneys arising from any and every sale or sales as aforesaid upon trust to apply the net proceeds of such sale in or towards the purchase of another parcel or other parcels of land with or without a dwelling-house thereon. And if there shall be no dwelling-house on the said land at the time of such purchase then (so far as the proceeds of such sale or sales as aforesaid may be available for the purpose) in the erection on the said land so to be purchased as aforesaid of a dwelling-house such land and dwelling-house to be held by the said trustees their heirs and assigns upon trust as a site for and as a dwelling-house garden and other appurtenances for the clergyman duly appointed to officiate in the said Roman Catholic Church of Saint Benedict. 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.