

SISTERS OF CHARITY
ESTATE.

An Act to enable Bridget McGuigan and Georgina Russell Trustees of certain land situate in Charlotte-place in the city of Sydney held by them upon trust for the religious establishment known as the Sisters of Charity to let the said land on building leases or otherwise or to sell the said land and to provide for the application of the proceeds thereof. [1st July, 1886.]

Preamble.

WHEREAS by his will bearing date the eleventh day of August one thousand eight hundred and forty-three William Davis gave devised and bequeathed unto Catherine O'Brien and Mary Cahill in trust for the use of the religious establishment in New South Wales known by the name of the Convent of the Sisters of Charity his lower house stores and appurtenances in Charlotte-place which are described in the Schedule hereto And whereas by an order of the Supreme Court of New South Wales in Equity dated the twenty-fourth day of September one thousand eight hundred and eighty-four the said lower house stores and appurtenances were vested in the said Bridget McGuigan and Georgina Russell upon the trusts of the said will And whereas the said house and stores are in a bad state of repair and unsuitable for the site And whereas the said Bridget McGuigan and Georgina Russell have no funds wherewith to repair or rebuild the same And whereas the said land can be sold for good prices or let on a building lease or building leases for a large ground rent and upon favourable conditions as to building and otherwise and it is desirable that the said Bridget McGuigan and Georgina Russell or other the Trustee or Trustees for the time being of the said will should be empowered to sell the said land or to grant a building lease or building leases thereof for any period not exceeding twenty-five years 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:—

Power to sell.

1. After the passing of this Act it shall be lawful for the said Bridget McGuigan and Georgina Russell hereinafter styled Trustees their heirs and assigns or other the Trustees in whom the land and hereditaments mentioned in the schedule hereto may be vested to sell and absolutely dispose of the said land and hereditaments 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 had or obtained for the same and when sold to convey the same or any part or parts thereof to the purchaser or purchasers 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 or of the Trustees or Trustee for the time being of the said will 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 from seeing to the application of the said purchase money and from all liability as to the mis-application or non-application thereof.

Power to lease.

2. It shall be lawful for the said Bridget McGuigan and Georgina Russell or other the Trustees or Trustee for the time being in

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in whom the said land and hereditaments may be vested as aforesaid to execute and make a lease or leases of the said land and hereditaments described in the Schedule hereto to any person or persons who shall covenant to improve the same by erecting thereon any houses or building or by repairing or rebuilding any house or building which may be now or hereafter shall be standing thereon or by otherwise expending in improvements such moneys as shall be deemed adequate by the said Bridget McGuigan and Georgina Russell or the Trustees or Trustee for the time being as aforesaid. But so that every such lease shall be for a term not exceeding twenty-five years to take effect in possession and so that there be contained in every such lease a covenant by the lessee or lessees for the payment of the rent thereby reserved and a condition of re-entry for non-payment thereof within a reasonable time to be therein specified or non-observance or non-performance of covenants by the lessee or lessees and so that the lessee or lessees do execute a counterpart thereof.

3. The net proceeds of any such sale shall be invested by the said Bridget McGuigan and Georgina Russell or the Trustees or Trustee for the time being in Government securities or upon mortgage of real estate in New South Wales or in the purchase of other real estate such securities or real estate and the rents reserved upon any such lease to be held upon the trusts of the said will.

Application of
proceeds.

SCHEDULE.

All that piece or parcel of land situate and being in the city of Sydney county of Cumberland Colony of New South Wales Being the original grant to William Davis of lot two section sixty-two town of Sydney and part of original grant to William Davis of lot one section sixty-two in the said town and described in the will of said William Davis as the lower house stores and appurtenances in Charlotte-place Commencing at a point on the northern side of Charlotte-place distant eighty-four feet nine inches in an easterly direction from Harrington-street and bounded on the south by Charlotte-place bearing easterly seventy-nine feet seven inches on the east by a line bearing northerly one hundred and twenty-eight feet (being the eastern boundary of lot two of section sixty-two) on the north by a line bearing west one degree fifteen minutes north thirty-four feet six inches on the north-west by a wall being lines bearing south-westerly forty-three feet six inches and forty-eight feet ten inches and on the west by a line southerly sixty feet two inches to the point of commencement subject nevertheless to the right-of-way of the adjoining proprietors to the west over part of the same being all that piece or parcel of land situate and being in the city county and Colony aforesaid being part of lots one and two section sixty-two town of Sydney Commencing at a point on the northern side of Charlotte-place distant eighty-four feet nine inches in an easterly direction from Harrington-street and bounded on the south by Charlotte-place bearing easterly fifteen feet eight inches on the east by a line bearing northerly forty-three feet eight inches on the north by a line bearing westerly fifteen feet eight inches and on the west by part of the eastern boundary of the proprietors of the remaining portion of lot one section sixty-two being a line bearing southerly and passing partly along the eastern side of a wall of the buildings on said remaining portion of lot one section sixty-two forty-three feet eight inches to the point of commencement.