

ANNO QUINQUAGESIMO NONO

VICTORIAE REGINÆ.

An Act to vest in the trustees of the Nepean Cottage Hospital certain lands of the Penrith District Hospital, and to enable the said trustees to deal with the said lands for the purposes of the said Nepean Cottage Hospital. [5th July, 1895.]

NEPEAN COTTAGE
HOSPITAL

WHEREAS a public hospital was established at Penrith, in the Preamble. Colony of New South Wales, called the Penrith District Hospital, and Robert Copland Lethbridge, George Cox, and James Riley were appointed under the provisions of the Act eleventh Victoria number fifty-nine trustees of the said hospital, and the lands in the Schedule hereunto annexed were by indenture of the twentieth day of November, one thousand eight hundred and fifty-six, between Philip Gidley King of the one part, and the said trustees of the other part, conveyed by the said Philip Gidley King to the said trustees and their successors to be duly appointed under the provisions of the said Act: And whereas the said hospital has fallen wholly into disuse and the said trustees have died and no successors have been appointed to them: And whereas another public hospital has been established and is now in existence at Penrith aforesaid, called the Nepean Cottage Hospital, and Thomas John Fuller Cadden, George Brian Besley, George Brown, and John King Lethbridge are the trustees of the same, duly appointed under the provisions of the said Act eleventh Victoria number fifty-nine: And whereas it is expedient to utilise the said land of the Penrith District Hospital for the purposes of the said Nepean Cottage Hospital: 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. The lands in the Schedule described shall vest and the same are hereby vested in Thomas John Fuller Cadden, George Brian Besley, George Brown, and John King Lethbridge, the trustees of the Nepean Cottage Hospital, or other the trustees for the time being of the Nepean Cottage Hospital, duly appointed under the Act eleventh Victoria number fifty-nine, and it shall be lawful for the said Thomas John Fuller Cadden, George Brian Besley, George Brown, and John King Lethbridge, or the trustees for the time being of the Nepean Cottage Hospital, duly appointed under the Act eleventh Victoria number fifty-nine, to sell and dispose of the said land or any part or parts thereof in such manner as they may deem most expedient, either by public auction or by private contract, and either in one lot or in several lots, or to mortgage or lease the said lands or any part or parts thereof, or to enter into

Trustees authorised
to sell, &c.

Nepean Cottage Hospital.

into and execute any agreement for the exchange of the said land or any part or parts thereof for any other lands, with or without terms, as to the payment of money as part consideration by either of the parties to any such agreement, and to transfer and assure the said lands or any part or parts thereof in fee simple to the purchaser or purchasers thereof, and to execute all contracts, deeds, and instruments necessary and incidental to the carrying into effect of any agreement for such sale, lease, mortgage, or exchange of the said lands as aforesaid, and to the full exercise of the powers herein conferred.

*Application of
proceeds of sale, &c.*

2. The said Thomas John Fuller Cadden, George Brian Besley, George Brown, and John King Lethbridge, or the trustees for the time being of the said Nepean Cottage Hospital shall be entitled to receive all moneys arising from the sale, lease, mortgage, or exchange of the said lands as aforesaid, and shall stand possessed of the same after the payment of the actual and reasonable expenses of such sale, lease, mortgage, or exchange, and of this Act, upon trust to apply the said moneys for the purposes of the said Nepean Cottage Hospital and not otherwise, and shall hold any lands acquired by them under the provisions of this Act in trust for the said Nepean Cottage Hospital.

*Purchasers not liable
for application of
purchase money.*

3. All persons paying money to trustees in respect of any sale, lease, mortgage, or exchange made in pursuance of this Act shall be exonerated from liability in respect of the non-application or misapplication of such money.

Short title.

4. This Act shall be styled and may be cited as the "Nepean Cottage Hospital Act of 1895."

SCHEDULE REFERRED TO.

All that parcel of land situate in Henry-street east, in the town of Penrith, in the Colony of New South Wales: Bounded on the west, commencing at a point on the north side of Henry-street aforesaid, seven and one-half chains easterly from the east side of King-street by a line northerly three chains thirty-three and one-third links; on the north by a line easterly three chains: on the east by a line southerly three chains thirty-three and one-third links to the north side of Henry-street aforesaid; and on the south by that street westerly three chains to the point of commencement,—being one acre, more or less, portion of the Saint Stephen's Estate, granted to Philip Parker King, by deed poll, under the hand of His Excellency Lieutenant-General Ralph Darling, dated nineteenth October, one thousand eight hundred and thirty-one, subject to a quit-rent which has since been redeemed.