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SCHEDULES.

SIXTH SCHEDULE

EPITOMES OF ABSTRACTS OF TITLE.

SPECIMEN No. 1

OF THE TITLE OF JOHN WILLIAMS TO BLACKACRE.

WHERE THE TITLE COMMENCES BEFORE THE COMMENCEMENT OF THIS ACT.

The italics show how the abstract is to be framed and what documents are to be abstracted. After the commencement of this Act, the parts not in italics may be ignored.

10th June 1897.

Will of H. Jones, appointing Maria Jones and W. Jones executors and Settled Land Act trustees.

Devises, Blackacre.

To the use that Maria Jones may receive a yearly rentcharge of five hundred pounds for her life, and, subject thereto,

To the use of W. Jones for life with remainder,

To the use of X. and Y., for a term of one thousand years, and subject thereto,

To the use of the first and other sons of W. Jones in tail with remainders over.

Trusts of term of one thousand years declared for raising ten thousand pounds for portions for younger children of W. Jones, as he shall appoint, and in default equally.

Hotchpot Clause. Power to appoint new trustees.

4th June 1898.

Death of H. Jones

1st August 1898.

Will of H. Jones proved.

[*Note.*—After the execution of the Vesting Deed the will only takes effect in equity and can be withdrawn from the abstract when not required as a root of title.]

20th August 1899.

Conveyance by the executors to the, uses of the Will.

2nd September 1915.

Appointment of R. and S. to be Settled Land Act trustees of the will in place of Maria, Jones and W. Jones who retire.

1st January 1926.

The Settled Land and Law of Property Acts, 1925, come into operation.

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[NOTE.—The legal estate in fee simple will vest in W. Jones in fee simple, but he cannot deal with it till the vesting deed is executed.]

20th January 1926.

Deed by the Settled Land Act trustees declaring the fee simple is vested in W. Jones on the trusts of the Will and stating that they are the trustees of the settlement.

2nd February 1926.

Appointment by W. Jones of five thousand pounds, part of the ten thousand pounds, to his daughter, Ann Jones.

3rd February 1926.

Assignment by Ann Jones of her five thousand pounds, part of the ten thousand pounds raisable for portions, to trustees *F.* and *G.* on her marriage to J. Robinson.

4th February 1926.

Will of W. Jones, appointing T. Brooks his executor.

6th March 1926.

Death of W. Jones leaving three children, Frederick Jones, his eldest son, and E. Jones and Ann Robinson.

2nd April 1926.

Disentail by Frederick Jones in trust for himself in fee simple.

3rd May 1926.

Will of W. Jones proved by R. and S. in regard to the settled land.

6th June 1926.

Mortgage by E. Jones of his one-half of the ten thousand pounds to *K.*

1st December 1926.

Death of Maria Jones, jointress.

2nd January 1927.

Release by *F.* and *G.* on payment to them of the five thousand pounds of Ann Robinson.

Same date.

Release by E. Jones and *K.*, his mortgagee, of the five thousand pounds raisable for E. Jones.

3rd January 1927.

Assent by R. and S., as personal representatives to Frederick Jones in fee, without nominating Settled Land Act trustees.

[NOTE.—If the Assent had been made before the family charges had been cleared, the personal representatives would have nominated themselves as being the trustees of the settlement, and a discharge from them would have been required when the charges were cleared.]

6th February 1927.

Mortgage either by charge by way of legal mortgage or for a term of one thousand years by Frederick Jones to the Estate Trustees of the C. Assurance Society to secure five thousand pounds and interest.

20th March 1927.

Second mortgage either by charge by way of legal mortgage or for a term of two thousand years by Frederick Jones to *D.*, to secure three thousand pounds and interest.

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1st June 1927.

Third mortgage either by charge by way of legal mortgage or for a term of three thousand years by Frederick Jones to *E.*, to secure two thousand pounds and interest.

8th August 1927.

Conveyance by Frederick Jones on his marriage (subject to above mortgages) to *M.* and *N.* upon trust for sale, the proceeds of sale being settled by a deed of even date.

12th November 1927.

Death of *M.*

20th December 1927.

Appointment of *F.* as trustee of the conveyance on trust for sale in the place of *M.*, and jointly with *N.*

10th June 1928.

Conveyance by the then Estate Trustees of the C. Assurance Society, under their power of sale as first mortgagees, to John Williams in fee.

[NOTE.—The title being made under the power of sale of the Estate Trustees, the fee simple passes and not merely the mortgage term. They can if desired convey the fee in the names of *M.* and *N.* It is unnecessary to disclose the second and third mortgages or the conveyance on trust for sale. It would have been necessary to disclose them if title had been made by the trustees for sale, as the mortgages and the conveyance all dealt with legal estates. The right to vest the debt and mortgaged property in Estate Trustees by memorial enrolled under a Private Act is preserved.]

No evidence of deaths, births, &c, is required. Probate of the will of *H. Jones* is conveyancing evidence of his death.]

12th January 1929.

John Williams leaves Great Britain and Northern Ireland is believed to be alive but cannot be found.

10th August 1929.

Private Act passed authorising the X. Company to acquire Blackacre under compulsory powers.

15th June 1930.

Statutory declaration as to facts known with reference to John Williams.

16th June 1930.

Deed Poll by X. Company (who by their agent also execute in the name of John Williams) under section seventy-seven of the Lands Clauses Consolidation Act, 1845, vesting the land in themselves.

[NOTE.—This is an example of an exercise of a power over a legal estate the operation of which is expressly preserved.]