



## CHAPTER 1.

An Act to authorise the sale of certain pictures bequeathed by the will of the late Most Honourable Jane St. Maur Blanche Dowager Marchioness Conyngham as heirlooms and to declare the trusts of the proceeds of such sale and for other purposes. A.D. 1913.  
[15th August 1913.]

**W**HEREAS the Most Honourable Jane St. Maur Blanche Dowager Marchioness Conyngham (hereinafter called "the testatrix") the widow of the Most Honourable George Henry Marquis Conyngham made her will dated the tenth day of July one thousand nine hundred and seven and thereby appointed her son-in-law Frederick William Ramsden and William Henry Saltwell of Lincoln's Inn Solicitor executors and trustees thereof And the testatrix bequeathed all the family pictures (being portraits of the ancestors and members of the family) to which she became entitled under the will of her late husband unto the said trustees in trust to allow the same to be used and enjoyed by her grandson Victor George Henry Francis the present Marquis during his life And after his death in trust for the only or eldest son of the present Marquis but if such eldest son should die in the lifetime of the present Marquis without leaving a son who should attain the age of twenty-one years or if such eldest son should die within twenty-one years after the death of the present Marquis without leaving a son then in trust for the second son of the present Marquis with a like gift over to the third and every other son of the present Marquis on the death of his next elder brother in the lifetime of the present Marquis without leaving a son who should attain the age of twenty-one years or on the death of his next elder brother within twenty-one years after the death of the present Marquis without leaving a son And if there should be no son of the present Marquis or if an only or every son of the present

A.D. 1913. Marquis should die in his lifetime without leaving a son who should attain the age of twenty-one years or if an only or every son of the present Marquis should die within twenty-one years after his death without leaving a son then in trust to allow the said pictures to be used and enjoyed by Lord Frederick William Burton Conyngham the younger brother of the present Marquis during his life and after his death upon the like trusts and with the like gifts over in favour of the sons of Lord Frederick William Burton Conyngham as were thereinbefore contained in favour of the sons of the present Marquis in the same manner as if such trusts and gifts over were therein repeated with the substitution of the name of Lord Frederick William Burton Conyngham for the name of the present Marquis And upon failure of all the trusts aforesaid in trust to allow the said pictures to be used and enjoyed by her son Lord Charles Arthur Conyngham during his life and after his death upon the like trusts and with the like gifts over in favour of his sons as were thereinbefore contained in favour of the sons of the present Marquis in the same manner as if such trusts and gifts over were therein repeated with the substitution of the name of her said son Lord Charles Arthur Conyngham for the name of the present Marquis And the testatrix directed that as soon as conveniently might be after her death an inventory should be taken of the said pictures and that two copies of the same should be made and that each of them should be signed by the person for the time being entitled to the enjoyment thereof under the trusts aforesaid and by her trustees and that the said pictures should at all times be kept adequately insured against loss or damage by fire so far as the same were capable of being so insured and properly preserved by and at the expense of the usufructuary thereof for the time being Provided always that her trustees should not be bound to see to the insurance or preservation of the said pictures or any of them and should not be responsible for any omission or neglect on the part of the usufructuary with respect to the insurance or preservation thereof nor for any loss or damage occasioned by any other act or omission on the part of the said usufructuary but her trustees should not be precluded from interfering for the protection of the property if when and as they should think fit And after making certain pecuniary and specific bequests and a bequest of an annuity and a devise of certain real estate the testatrix devised and bequeathed all the residue of her real and personal estate of or to which she should at her death be seized possessed

or entitled or should then have a general power of disposition (except what she otherwise disposed of by that her will or any codicil thereto) unto her said trustees upon trust to call in sell and convert into money such part thereof as should not consist of ready money and out of the moneys to arise from such calling in sale and conversion and out of her ready money to pay her funeral and testamentary expenses and debts and the legacies bequeathed by that her will or any codicil thereto and the duties on any legacies or annuities bequeathed free of duty and to stand possessed of the residue of such moneys and of the said real and personal estate until such sale and conversion as aforesaid upon such trusts as she should by any codicil thereto appoint and in default of such appointment and so far as any such appointment should not extend in trust for all her children or any her child (other than such son or sons as before her death should succeed to the title of Marquis Conyngham) who being sons should have attained or should attain the age of twenty-one years or being daughters have attained or should attain that age or marry under that age and if more than one in equal shares :

And whereas the testatrix died on the twenty-eighth day of November one thousand nine hundred and seven without having revoked or altered her said will or executed any codicil thereto :

And whereas the said will was proved on the twenty-first day of December one thousand nine hundred and seven by the said Frederick William Ramsden and William Henry Saltwell in the Principal Registry of the Probate Division of the High Court of Justice :

And whereas the funeral and testamentary expenses and debts of the testatrix and the legacies and annuities bequeathed by her will and the duties thereon have been paid and satisfied or provided for :

And whereas in the event of the determination or failure of the trusts of the said pictures in the said will contained in favour of the said Victor George Henry Francis Marquis Conyngham Lord Frederick William Burton Conyngham and Lord Charles Arthur Conyngham and their respective sons the said pictures will fall into and become part of the residue of the personal estate of the testatrix bequeathed upon trust for sale and conversion as aforesaid :

A.D. 1913.

And whereas the testatrix had seven children and no more namely Henry Francis fourth Marquis Conyngham who died in her lifetime and the said Lord Charles Arthur Conyngham Lady Blanche Conyngham Lady Constance Augusta Combe the wife of Richard Combe Lady Jane Seymour Combe the wife of Captain Christian Combe Lady Elizabeth Maud Ramsden the wife of the said Frederick William Ramsden and Lady Florence Heathcote-Drummond-Willoughby the wife of the Honourable Claude Heathcote-Drummond-Willoughby all of whom are living and have attained the age of twenty-one years :

And whereas the said Victor George Henry Francis Marquis Conyngham is a bachelor :

And whereas the said Lord Frederick William Burton Conyngham is also a bachelor :

And whereas the said Lord Charles Arthur Conyngham on the sixth day of August one thousand nine hundred and ten married Annie Brewer Hunter who is still living but there has been no issue of such marriage nor of any former marriage of the said Lord Charles Arthur Conyngham :

And whereas no settlement or agreement for a settlement was made or entered into before or upon or has been made or entered into since the respective marriages of the said Lady Constance Augusta Combe Lady Jane Seymour Combe Lady Elizabeth Maud Ramsden or Lady Florence Heathcote-Drummond-Willoughby which in any way affects their respective shares or interests in the residuary estate of the testatrix :

And whereas the said Frederick William Ramsden and William Henry Saltwell are the present trustees of the said will :

And whereas the said pictures include two portraits specified in the Schedule to this Act which are of considerable value :

And whereas the said two portraits were valued by expert valuers in the month of August one thousand nine hundred and ten at the sum of six thousand pounds each and were then insured for that amount with the Law Fire Insurance Society :

And whereas the said Victor George Henry Francis Marquis Conyngham has entered into an agreement (conditional on the passing of this Act) for the sale of the said two portraits for the sum of forty thousand pounds;

And whereas the said two portraits are now in the possession of the said Victor George Henry Francis Marquis Conyngham but it is desirable and would be for the benefit of all persons interested therein under the said will that the said conditional agreement should be carried into effect and that the same two portraits should be sold at the price now offered as aforesaid which at a future period might not be obtainable :

And whereas the said portraits cannot be sold under the provisions of the Settled Land Act 1882 inasmuch as the same are not settled on trust so as to devolve with land within the meaning of the 37th section of that Act :

And whereas the objects of this Act cannot be attained without the authority of Parliament :

Wherefore Your Majesty's most dutiful and loyal subject the said Victor George Henry Francis Marquis Conyngham doth most humbly beseech Your Majesty that it may be enacted and be it enacted by the King's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say) :—

1. This Act may for all purposes be cited as the *Conyngham Heirlooms Act 1913.* Short title.

2. The two portraits specified in the Schedule to this Act may be sold by the said Victor George Henry Francis Marquis Conyngham at the price mentioned in the said agreement. Power to sell two portraits.

3. The net moneys to arise from the sale of the said two portraits after deducting therefrom the amount of the costs charges and expenses of all parties of applying for obtaining and passing this Act shall be paid to the trustees or trustee for the time being of the said will whose receipt shall be a good discharge for the same and such moneys when so paid shall be invested in the names or name or under the legal control of such trustees or trustee in or upon any stocks funds or securities in or upon which such moneys might have been invested if the same had been capital moneys arising from the sale under the Settled Land Acts 1882 to 1890 of land settled by the will of the testatrix with power for the said trustees or trustee to vary the investments into or for any other such stocks funds or securities and such investments shall be subject to such trusts provisions and declarations as shall as As to trusts of proceeds of sale.

A.D. 1913. — nearly as may be (regard being had to the different natures of the properties) correspond with the trusts provisions and declarations by and in the said will of the testatrix declared and contained of and concerning the said pictures and the annual income arising from the said investments shall from time to time be payable and belong to the person who would for the time being have been the usufructuary of the said pictures.

General saving.

4. Saving to the King's most Excellent Majesty His heirs and successors and to all and every other persons and person bodies politic and corporate and their respective heirs and successors executors and administrators (other than the several persons by this Act expressly excepted out of the general saving) all such right interest claim and demand whatsoever of in to or out of the said two portraits or either of them as they every or any of them would have held or enjoyed or been entitled to if this Act had not been passed.

Exceptions from general saving.

5. The following persons and all persons claiming under or through them any estate or interest in the said two portraits or either of them respectively are excepted out of the general saving hereinbefore contained and accordingly are the only persons bound by this Act (that is to say):—

Victor George Henry Francis Marquis Conyngham ;  
Lord Frederick William Burton Conyngham ;  
Lord Charles Arthur Conyngham ;  
Lady Blanche Conyngham ;  
Lady Constance Augusta Combe ;  
Lady Jane Seymour Combe ;  
Lady Elizabeth Maud Ramsden ;  
Lady Florence Heathcote-Drummond-Willoughby ;  
Frederick William Ramsden ; and  
William Henry Saltwell.

Act as printed by King's Printers to be evidence.

6. This Act shall not be a public Act but shall be printed by the several printers to the King's most Excellent Majesty duly authorised to print the Statutes of the United Kingdom and a copy thereof so printed by any of them shall be admitted as evidence by all judges justices and others.

The SCHEDULE referred to in the foregoing Act.

A.D. 1913.

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An oil painting three-quarter-length life-size portrait of Lady Aboyne She is wearing a white low neck dress with muslin sleeves Immediately in front of her a harp is resting on a stand and the keys of which she is holding with her right hand On canvas fifty-four inches by forty-four inches in measurement by Sir Thomas Lawrence.

An oil painting almost full-length life-size portrait of Lady Maria Conyngham daughter of the first Marchioness Conyngham She is seated and is wearing a white dress with short sleeves and is clasping her hands To her right a dog is gazing into her face On canvas thirty-six inches by twenty-six and a half inches in measurement by Sir Thomas Lawrence.

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