



ANNO SECUNDO & TERTIO

VICTORIÆ REGINÆ.

Cap. 43.

An Act for vesting the undivided Sixth Share of *Ann Campbell Bligh* Spinster, a Lunatic, as One of the Six Daughters and Coheiresses of *William Bligh* Esquire, deceased, in certain Lands and Hereditaments in *New South Wales*, of which the said *William Bligh* died seised, in Trustees in whom the other Five undivided Sixth Shares are now vested, upon Trust for Sale.

[29th July 1839.]

WHEREAS by an Indenture bearing Date the Twenty-second Day of *June* One thousand eight hundred and thirty-eight, and made between *Elizabeth Bligh* of *James Street, Pimlico*, in the County of *Middlesex*, the Widow of *Richard Bligh*, late of *Lincoln's Inn* in the County of *Middlesex*, Esquire, Barrister at Law, deceased, formerly *Elizabeth Bligh* Spinster; Sir *Maurice Charles O'Connell* Knight, a Major General in Her Majesty's Forces, and *Mary* his Wife, formerly *Mary Bligh* Spinster; *Henry Aston Barker* of *Bitton* in the County of *Gloucester*, Esquire, and *Harriet Maria* his Wife, formerly *Harriet Maria Bligh* Spinster; *Frances Bligh* of *Kensington* in the County of *Middlesex*, Spinster, and *Jane Bligh* of the same Place, Spinster, of the First Part; and *Charles Hallett* of *Abingdon Street* in the City of *Westminster*, Esquire, and

Indenture of 22d June 1838, vesting Lands in New South Wales in Trustees for Sale.

[Private.]

13 n

Felix

Felix Slade of *Doctors Commons* in the City of *London*, Proctor, of the Second Part; after reciting that *William Bligh* Esquire, formerly a Rear Admiral in the Royal Navy, deceased, was in his Lifetime seised to him and his Heirs for an Estate of Inheritance in Fee Simple in Possession of the Lands and Hereditaments in *New South Wales* respectively comprised and described in the Schedule to the said Indenture, and of which Lands and Hereditaments Five equal undivided Sixth Parts or Shares are thereby conveyed or mentioned, and intended so to be, with their respective Rights and Appurtenances, and being so seised the said *William Bligh* departed this Life on or about the Seventh Day of *December* One thousand eight hundred and seventeen, intestate as to the said Lands and Hereditaments, leaving the said *Elizabeth Bligh*, *Mary* the Wife of the said Sir *Maurice Charles O'Connell*, *Harriet Maria* the Wife of the said *Henry Aston Barker*, *Frances Bligh*, and *Jane Bligh*, respectively Parties to the said Indenture, and *Ann Campbell Bligh* Spinster, a Lunatic, his only Children and Coheireses at Law, upon whom the said Lands and Premises did thereupon descend in Coparcenary; and reciting that it would be greatly for the Benefit of the said Coparceners, and that the Parties to the said Indenture of the First Part were desirous that the said Lands and Hereditaments should be vested in the said *Charles Hallett* and *Felix Slade*, their Heirs and Assigns, upon Trust either for Partition or Sale, or both for Partition and Sale, as might be found expedient, and that the same Parties had therefore agreed that the Shares of the said *Elizabeth Bligh*, *Mary* the Wife of the said Sir *Maurice Charles O'Connell*, *Harriet Maria* the Wife of the said *Henry Aston Barker*, *Frances Bligh*, and *Jane Bligh*, of and in the said Lands and Hereditaments, should be conveyed unto and to the Use of the said *Charles Hallett* and *Felix Slade*, their Heirs and Assigns, upon the Trusts, and with, under, and subject to the Powers, Provisoes, Declarations, and Agreements respectively therein-after expressed, and that the said *Ann Campbell Bligh* being incompetent to make a Conveyance of her Share of the said Lands and Hereditaments by reason of her Lunacy or Unsoundness of Mind, it had been agreed that such Proceedings should forthwith be had and taken as that an Act of Parliament might be obtained for vesting the said Share of the said *Ann Campbell Bligh* in the said *Charles Hallett* and *Felix Slade* and their Heirs, upon the same Trusts, and with, under, and subject to the same Powers, Provisoes, Declarations, and Agreements respectively; it was witnessed, that for effecting the said Desire of the said several Persons Parties to the said Indenture of the First Part, and for the nominal pecuniary Consideration therein mentioned, they the said *Elizabeth Bligh*, Sir *Maurice Charles O'Connell* and *Mary* his Wife, *Henry Aston Barker* and *Harriet Maria* his Wife, *Frances Bligh*, and *Jane Bligh*, did by the said Indenture now in recital, which was acknowledged by the said *Mary O'Connell* and *Harriet Maria Barker* respectively, grant, bargain, sell, transfer, alien, and convey unto the said *Charles Hallett* and *Felix Slade*, their Heirs and Assigns, all those the Five equal undivided Sixth Parts or Shares of them the said *Elizabeth Bligh*, *Mary* the Wife of the said *Maurice Charles O'Connell*, *Harriet Maria* the Wife of the said *Henry Aston Barker*, *Frances Bligh* and *Jane Bligh*, of and in all those Lands and Hereditaments respectively situate in Her Majesty's Territory

or Colony of *New South Wales*, and called or known by the respective Names of *Copenhagen*, *Camperdown*, *Mount Betham*, *Simpson's Farm*, and *Tyler's Farm*, or by whatsoever other Name or Names the said Lands and Hereditaments were then or at any Time theretofore called, known, or distinguished, containing the several Quantities and having the several Boundaries respectively mentioned and described in the Schedule to the said Indenture now in recital, and to this Act respectively annexed, and of and in all other the Lands and Hereditaments (if any) in *New South Wales* of or to which the said *William Bligh* died seised or entitled, with their Appurtenances, to hold the said Parts or Shares and Premises respectively therein-before mentioned to be thereby granted and conveyed as aforesaid, or intended so to be, unto the said *Charles Hallett* and *Felix Slade*, their Heirs and Assigns, to the only Use of the said *Charles Hallett* and *Felix Slade*, their Heirs and Assigns for ever, nevertheless upon the Trusts, and with, under, and subject to the Powers, Provisoos, Declarations, and Agreements therein and partly herein-after expressed concerning the same; that is to say, until the undivided Part or Share of the said *Ann Campbell Bligh* of and in the said Premises should, by Act of Parliament or otherwise, be vested in them the said *Charles Hallett* and *Felix Slade*, or the Survivor of them, their or his Heirs or Assigns, or other the Trustees or Trustee for the Time being of the said Indenture, upon Trust for the said *Elizabeth Bligh*, *Mary* the Wife of the said *Sir Maurice Charles O'Connell*, *Harriet Maria* the Wife of the said *Henry Aston Barker*, *Frances Bligh*, and *Jane Bligh*, their Heirs and Assigns respectively, in the same Shares and Proportions, and for like Estates, and in like Manner, in all respects, as the said Premises therein-before mentioned, and intended to be thereby conveyed as aforesaid, were vested in them at Law immediately before the Execution of the Indenture now in recital; and it was by the said Indenture agreed and declared, that immediately after the said Part or Share of the said *Ann Campbell Bligh* should, by Act of Parliament or otherwise, have been vested in the said *Charles Hallett* and *Felix Slade*, or the Survivor of them, their or his Heirs or Assigns, or other the Trustees or Trustee for the Time being of the said Indenture, the said Trustees or Trustee for the Time being in whom the Entirety of the said Lands and Hereditaments might for the Time being be vested should stand and be seised thereof, upon Trust, as soon as conveniently might be, either, in such Manner as therein mentioned, to make Partition of the same Lands and Hereditaments, or upon Trust, with the Consent in Writing, notwithstanding any Coverture, of such of them the said *Elizabeth Bligh*, *Sir Maurice Charles O'Connell* and *Mary* his Wife, *Henry Aston Barker* and *Harriet Maria* his Wife, *Frances Bligh*, and *Jane Bligh*, as should be then living, and the Committee or Committees for the Time being of the Estate of the said *Ann Campbell Bligh*, absolutely to sell and dispose of the said Lands and Hereditaments, or any Part or Parts thereof, with their respective Appurtenances, either all together or in Lots, and either by public Auction or private Contract, or partly in one Mode and partly in the other, and subject to such Stipulations or Conditions as might be deemed expedient by the said Trustees or Trustee for the Time being, with full Liberty and Power to buy in any Part or Parts of the said Premises at any Sale

Sale by Auction, and to rescind or vary the Terms of any Contracts for Sale, and in manner aforesaid to resell the Premises which might be bought in, or of which the Contract for Sale should be rescinded, without being responsible for any Loss or Diminution in Price which might be occasioned thereby; and after declaring that it should be lawful for the Trustees or Trustee for the Time being, under and by virtue of the Trusts and Powers therein-before contained, as well to make Partition of such Part or Parts of the said Lands and Hereditaments as they should think expedient, as also, by and with such Consent as aforesaid, to sell and dispose of any Part or Parts thereof, and directing the Mode of, and giving and creating certain Powers and Provisions for effecting, and otherwise with respect to such Partition, including a Power to raise for the Purposes therein mentioned any Sum or Sums of Money by Mortgage of the Hereditaments of which Partition should be made, it was by the Indenture now in recital agreed and declared, that all Sums of Money to arise from any Sale or Sales, Mortgage or Mortgages, under the Trusts or Provisions aforesaid, should be respectively paid unto the said Trustees or Trustee for the Time being of the said Indenture, and that the Receipt or Receipts of the said Trustees or Trustee for the Time being of the said Indenture should be an effectual Discharge or effectual Discharges to any and every Person or Persons paying any Sums or Sum of Money to them or him the said Trustees or Trustee as aforesaid under and by virtue of the same Indenture, and that no Person or Persons to whom such Receipt or Receipts shall be respectively given should be liable to see to the Application or be responsible for any Misapplication of any Money in such Receipt or Receipts respectively acknowledged to be received; or be bound to see that any Sale of the said Hereditaments and Premises was made with such Consent or in such Manner as therein-before mentioned; and it was by the Indenture now in recital further agreed and declared, that the said Trustees or Trustee for the Time being of the said Indenture should stand and be possessed of and interested in the Monies therein-before directed to be paid to them, and every Part thereof, upon the Trusts following; that is to say, in the first place, fully to pay, satisfy, and discharge thereout the Costs, Charges, and Expences of all Parties of and incident to preparing and executing the said Indenture, and soliciting and obtaining this present Act of Parliament, and of carrying the Trusts of the said Indenture and this Act into execution; and, in the next place, in case such Monies should arise from any Sale of the said Lands and Hereditaments, or of any Part thereof, instead of a Partition under the Trusts aforesaid, then, as to Five Sixth Parts of the Surplus of the Monies to be produced by such Sale, after Payment of such Costs, Charges, and Expences as aforesaid, upon the Trusts in favour of the said *Elizabeth Bligh*, *Mary* the Wife of the said *Sir Maurice Charles O'Connell*, *Harriet Maria* the Wife of the said *Henry Aston Barker*, *Frances Bligh*, and *Jane Bligh* respectively, therein-after expressed, and as to the remaining equal Sixth Part thereof, in Trust for the said *Ann Campbell Bligh* the Lunatic; and it was by the Indenture now in recital accordingly further agreed and declared, that the said Trustees or Trustee for the Time being of the Indenture now in recital should stand and be possessed of the Parts, Shares, and Proportions of the
Monies

Monies aforesaid which were therein-before declared to be in Trust for the said *Elizabeth Bligh, Mary O'Connell, Harriet Maria Barker, Frances Bligh, and Jane Bligh* respectively, upon the Trusts therein expressed concerning the same, and of the Part, Share, or Proportion of the said *Ann Campbell Bligh* of and in the Monies aforesaid, upon Trust to apply and dispose of the same as should be directed by this present Act; and it was by the Indenture now in recital provided, agreed, and declared, that for the Purpose of enabling the said Trustees or Trustee for the Time being of the said Indenture to execute the Trusts and Provisions therein-before declared with respect to the said Lands and Hereditaments, it should be lawful for them or him, at any Time or Times, and from Time to Time, to appoint, by any Deed or Instrument in Writing under their or his Hands and Seals or Hand and Seal, any One or more Person or Persons as their or his Attorney or Attornies to act for them or him the said Trustees or Trustee for the Time being in *New South Wales*, and to make to such Person or Persons so to be appointed as aforesaid any reasonable and proper Allowance or Allowances for his or their Trouble, and to remove any Person or Persons so to be appointed, and to substitute any other Person or Persons, and that every and all Person and Persons to be appointed or substituted as aforesaid should and might, either in his or their own Name or Names, or in the Names or Name of the said Trustees or Trustee for the Time being, exercise, act in, and and perform the Powers, Provisions, and Trusts aforesaid, including the Power or Authority to receive Monies, and give effectual Receipts and Discharges for the same, as fully and effectually as he or they the said Trustees or Trustee for the Time being of the Indenture now in recital as aforesaid are or is, either expressly or by Implication, thereby authorized and empowered to do in their or his own Persons or Person; and so far as lawfully could or might be, it was by the Indenture now in recital provided, agreed, and declared, that the Death of any or either of them the said Trustees or Trustee for the Time being of the said Indenture should not invalidate the Appointment or Substitution of any Person or Persons so appointed or substituted as aforesaid to act, and for the Time then being acting, in *New South Wales*, in execution of the Trusts, Powers, and Provisions therein declared and contained, but that every such Person so appointed and substituted should and might act in the aforesaid Trusts, Powers, and Provisions, as fully and effectually as if the Persons or Person who appointed or substituted them or him as aforesaid were or was for the Time being actually living, nevertheless that all Monies to be received by the Persons so for the Time being acting in *New South Wales* as aforesaid should from Time to Time be transmitted to the Trustees or Trustee for the Time being of the said Indenture in *England*, in such Manner as to the said Trustees or Trustee, or such Person or Persons so acting in *New South Wales* as aforesaid, should deem expedient; and it was by the Indenture now in recital provided, agreed, and declared, that if the said Trustees or either of them, or any future Trustee or Trustees who should succeed or be appointed in the Stead or Place of them or either of them as therein is mentioned, should die, or desire to be discharged from, or refuse or decline or become incapable to act in the Trusts or Powers thereby reposed in them or him, or should go and reside out of *Great*

[Private.]

Britain,

Britain, except *New South Wales*, before the said Trusts should be fully performed and executed, then and so often as any such Case should happen it should be lawful for the surviving or continuing or acting Trustees or Trustee for the Time being of the said Indenture to nominate and appoint any Person or Persons to be a Trustee or Trustees in the Stead or Place of the Trustee or Trustees so dying, or desiring to be discharged, or refusing or declining or becoming incapable to act, or going and residing out of *Great Britain*, except as aforesaid; and when and so often as any such Trustee or Trustees should have been nominated and appointed in manner aforesaid all the said Trust Estates, or such of them as should then be vested in the Trustee or Trustees so dying, or desiring to be discharged, or refusing, declining, or becoming incapable to act, or going and residing out of *Great Britain*, except as aforesaid, either solely, or jointly with the other Trustee or Trustees, should thereupon with all convenient Speed be conveyed and transferred in such Sort and Manner and so that the same Estates and Premises should immediately thereupon be and become legally and effectually vested in the surviving or continuing Trustee or Trustees and such new or other Trustee or Trustees jointly, or in such new or other Trustee or Trustees solely, as the Case might require, their or his Heirs or Assigns, upon the same Trusts as were therein-before declared of and concerning the same Estates respectively, or such and so many of the same Trusts as should be then subsisting or capable of taking effect, and such new Trustee or Trustees should and might in all things act in the Management, carrying on, and Execution of the Trusts thereby created, as fully and effectually, and with all the same Powers and Authorities, to all Intents, Effects, Constructions, and Purposes whatsoever, as if he or they had been originally by the said Indenture nominated a Trustee or Trustees: And whereas the said *Ann Campbell Bligh* was, on or about the Thirteenth Day of *April* One thousand eight hundred and thirty-seven, found and declared a Lunatic, and by an Order of the Lord High Chancellor made in the Matter of the said Lunacy, on the Seventeenth Day of the said Month of *April*, it was referred to Mr. *Cross*, one of the Masters of the High Court of Chancery, to approve a proper Person or Persons to be appointed Committee or Committees of the Person and Estate of the said Lunatic: And whereas the said Master, by his Report in the said Matter, made on the First Day of *June* One thousand eight hundred and thirty-eight, certified that he approved of the said *Frances Bligh* and *Jane Bligh* as fit and proper Persons to be appointed Committees of the Person and Estate of the said Lunatic, and by an Order of the Lord High Chancellor, bearing Date the Fourth Day of *July* following, the said Report was confirmed, and the said *Frances Bligh* and *Jane Bligh* were thereby appointed such Committees as aforesaid accordingly; and by the same Order it was referred to the said Master to enquire and certify whether it would be fit and proper, and for the Benefit of the said *Ann Campbell Bligh*, regard being had to her Circumstances and Estate, and to the Allowance necessary for her Maintenance and Support, and to the Source from which such Allowance was to be derived, that the Estates and Property to which she was stated to be entitled in Coparcenary jointly with her Sisters as Coheiresses with her late Father should be sold and disposed of, or any and what

Ann Campbell Bligh found to be lunatic, 13th April 1837; Orders, &c. of the Court of Chancery thereupon.

Partition should be made thereof, and in case the said Master should be of opinion that it would be beneficial and expedient that a Sale or Partition should be made of the said Estates and Property, then he was to enquire and certify how and in what Manner the same could be carried into Effect: And whereas Mr. *Duckworth*, the Master to whom the said Matter stood transferred, by his Report bearing Date the Tenth Day of *May* One thousand eight hundred and thirty-nine, after reciting or stating amongst other things the herein-before recited Indenture or Conveyance, and the Trusts, Provisoos, Declarations, and Agreements respectively therein expressed and contained and herein-before mentioned, certified that he was of opinion that it would be fit and proper, and for the Benefit of the said *Ann Campbell Bligh*, regard being had to her Circumstances and Estate, and to the Allowance necessary for her Maintenance and Support, and to the Source from whence such Allowance is to be derived, that the Estates and Property to which she was stated to be entitled in Coparcenary jointly with her Sisters as Co-heiresses of their late Father should be sold and disposed of, and that he was also of opinion that, for the Purpose of effecting such Sale, an Application should be made to Parliament for an Act to vest the Share and Interest of the said *Ann Campbell Bligh* of and in the said Estates and Property in the said *Charles Hallett* and *Felix Slade*, the Trustees named in the said Indenture of the Twenty-second Day of *June* One thousand eight hundred and thirty-eight, upon the Trusts of such Indenture, so far as regards the Sale of the said Estates and Property: And whereas by an Order of the said Lord Chancellor made in the Matter of the said Lunacy, bearing Date the Seventh Day of *June* One thousand eight hundred and thirty-nine, it was among other things ordered that the said last-mentioned Report should be confirmed, and that the said *Frances Bligh* and *Jane Bligh*, as the Committees of the Estate of the said Lunatic, should be at liberty to apply to Parliament for Leave to bring in a Bill, and take all necessary Steps for obtaining such Bill to be passed into a Law, for the Purpose of vesting the Share and Interest of the said Lunatic in the Estates and Property in the said Report mentioned to be situate in the Colony of *New South Wales* in the said *Charles Hallett* and *Felix Slade*, the Trustees named in the said recited Indenture, their Heirs and Assigns, upon the Trusts of the same Indenture, so far as regards the Sale of the said Estates and Property; and it was ordered, that in the said intended Act of Parliament there should be contained a Clause or Clauses declaring the Lunatic's Proportion of the Monies to arise from the said Sale to be of the same Nature and Character as the Estates and Property sold, and empowering the Lord High Chancellor of *Great Britain*, or the Lord Keeper or Lords Commissioners for the Custody of the Great Seal of *Great Britain*, for the Time being, or other the Person or Persons for the Time being intrusted by the Queen's Sign Manual with the Care and Commitment of the Custody of the Persons and Estates of Persons found lunatic or of unsound Mind, to make such Orders, and direct such Acts and Deeds to be done and executed, as should be necessary for carrying the aforesaid Objects into effect, and for the due Application of the Monies arising from the said Sale: Therefore Your Majesty's most dutiful and loyal Subjects, the said *Frances Bligh* and *Jane Bligh*, do most humbly beseech Your Majesty that it
may

The undi-
vided Sixth
Part or Share
of Lands and
Heredita-
ments men-
tioned in the
Schedule
vested in
Trustees.

may be enacted ; and be it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lord's Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all the undivided Sixth Part or Share or other the Part or Share of the said *Ann Campbell Bligh* the Lunatic of and in all those the said Lands and Hereditaments respectively situate in Her Majesty's Territory or Colony of *New South Wales*, and called or known by the respective Names of *Copenhagen*, *Camperdown*, *Mount Betham*, *Simpson's Farm*, and *Tyler's Farm*, or by whatsoever other Name or Names the said Lands and Hereditaments are now or at any Time heretofore were called, known, or distinguished, containing the several Quantities and having the several Boundaries respectively mentioned and described in the Schedule to this Act, and of and in all other the Lands and Hereditaments (if any) in *New South Wales* aforesaid of or to which the said *William Bligh* deceased was seised or entitled at the Time of his Death, and of and in the Rights, Members, and Appurtenances to the said Lands and Hereditaments belonging, shall from and after the passing of this Act be vested in the said *Charles Hallett* and *Felix Slade*, their Heirs and Assigns, and the same undivided Part or Share is hereby henceforth vested in the said *Charles Hallett* and *Felix Slade*, their Heirs and Assigns, accordingly, without any Deed of Conveyance being necessary for that Purpose, in order that by the Means herein-before recited or mentioned, and this present Act, the Entirety of the said Lands and Hereditaments, with the Appurtenances, may be fully and completely vested in them the said *Charles Hallett* and *Felix Slade*, their Heirs and Assigns, nevertheless upon and for the Trusts and Purposes, and with, under, and subject to the Powers, Provisoos, and Declarations respectively expressed and contained in the said recited Indenture, and herein-before mentioned, so far as the same Trusts, Purposes, Powers, Provisoos, and Declarations authorize or in any Manner relate or are incident to a Sale or Sales of the said Premises.

Lunacy of
*Ann Camp-
bell Bligh*
not to affect
Powers of
Sale by the
other Parties
interested.

II. And be it further enacted, That all the Trusts, Powers, Provisoos, and Declarations respectively herein-before referred to shall, so far as they authorize or in any Manner relate or are incident to a Sale, be as effectual with respect to and concerning the Entirety of the said Lands, Hereditaments, and Premises, and the undivided Part or Share of the said *Ann Campbell Bligh* the Lunatic therein, respectively, and the Produce to arise from any Sale thereof, or of any and every Part thereof, as the same Trusts, Powers, Provisoos, and Declarations would have been if the said *Ann Campbell Bligh* had not been under any Disability, and had been made a Party to and duly executed the said Indenture.

Until Sale,
the said un-
divided Part
or Share to
vest in the
Trustees in
Trust of the
Lunatic.

III. Provided always, and be it further enacted, That until Sale shall be made of the said Lands and Hereditaments under the Trusts aforesaid, the said *Charles Hallett* and *Felix Slade*, their Heirs and Assigns, shall (subject to the same Trusts) stand and be seised of the said undivided Part or Share of the said *Ann Campbell Bligh* the Lunatic in the Lands and Hereditaments aforesaid, in Trust for the said *Ann Campbell Bligh*, her Heirs and Assigns.

IV. And

IV. And be it further enacted, That the said *Charles Hallett* and *Felix Slade*, and the Survivor of them, and the Heirs, Executors, or Administrators of the Survivor, or other the Trustees or Trustee for the Time being of the Trust Premises, shall stand and be possessed of the Part or Share of the Monies which is by the Trusts of the herein-before recited Indenture, and hereby by reference to the same Trusts, directed to be in Trust for the said *Ann Campbell Bligh*, or to which she will become entitled from or by reason of any Sale under or by virtue of any or either of the Trusts, Powers, Provisoos, and Declarations aforesaid, upon Trust that they or he the said Trustees or Trustee as aforesaid do and shall pay the said Part or Share, Sum or Sums of Money of the said *Ann Campbell Bligh*, into the Bank of *England*, in the Name and to the Account of the Accountant General of the Court of Chancery, to be there placed to the Credit of the Matter of the Lunacy of the said *Ann Campbell Bligh*, to be subject to be laid out and invested, under and subject to the Directions of the Lord High Chancellor of *Great Britain*, or the Lord Keeper or Lords Commissioners for the Custody of the Great Seal of *Great Britain*, for the Time being, or other the Person or Persons for the Time being entrusted by the Queen's Sign Manual with the Care and Commitment of the Custody of the Persons and Estates of Persons found lunatic or of unsound Mind, in pursuance of any Order or Orders for that Purpose to be obtained upon Motion or Petition in a summary Way, in the Purchase of Freehold or Copyhold Lands of Inheritance in *England*, to be conveyed to the Committee or Committees for the Time being of the Estate of the said Lunatic, or such other Person or Persons as the said Lord Chancellor, Lord Keeper or Lords Commissioners, or other Person or Persons for the Time being entrusted as aforesaid, shall direct, in Trust for the said *Ann Campbell Bligh*, her Heirs and Assigns, and in the meantime to be invested in the Name of the said Accountant General in the Purchase of Three Pounds *per Cent.* Consolidated Bank Annuities, so that the said Part or Share of the said Lunatic hereby vested in the said Trustees in the said Lands and Hereditaments shall not, as between the Real and Personal Representatives of the said Lunatic, be converted in Equity into or be considered as in the Nature of Personal Estate, but on the contrary that the same, and all the said Trust Monies of the said Lunatic, may go and devolve as and be impressed with the Character of Real Estate, in the same Manner to all Intents and Purposes as the said Part or Share of the said Lunatic would have done if this Act had not been passed.

Money arising from Sale to be paid into the Bank in the Name of the Accountant General of the Court of Chancery.

V. And it is hereby further enacted, That it shall be lawful for the said Lord High Chancellor of *Great Britain*, or the Lord Keeper or Lords Commissioners of the Custody of the Great Seal, for the Time being, or other the Person or Persons for the Time being entrusted by the Queen's Sign Manual with the Care and Commitment of the Custody of the Persons and Estates of Persons found lunatic or of unsound Mind, upon Petition or Motion, in a summary Way, to make all such Orders and Directions as shall be necessary for carrying the Objects, Trusts, and Provisions of this Act into effect, and for the due Application of the Part or Share, Sum or Sums of Money of the said *Ann Campbell Bligh* which is or are

Court of Chancery may make Orders for the Application of the Money arising from Sale.

[Private.]

herein-before directed to be paid into the Bank of *England* as aforesaid.

Deaths of Trustees not to affect any Appointment or Substitution made under the recited Indenture.

VI. And be it further enacted, That the Death of any or either of them the said *Charles Hallett* and *Felix Slade*, or other the Trustees or Trustee for the Time being of the said Trust Estates, Monies, and Premises, shall not annul or make void any Appointment or Substitution, by virtue of the said Provision in that Behalf in the same Indenture contained, of any Person or Persons in *New South Wales* to act for the said *Charles Hallett* and *Felix Slade*, or the Survivor of them, or their or his Heirs, Executors, or Administrators, or other the Trustees or Trustee for the Time being in the Trusts and Provisions thereof; but that, notwithstanding the Death of any or either of the Trustees or Trustee who shall for the Time being have appointed or substituted any Person or Persons to act in *New South Wales* in the Matters aforesaid, all the Acts and Deeds of the Person or Persons so appointed or substituted as aforesaid shall to and for all Intents and Purposes be valid and effectual, as fully as the same Acts and Deeds would have been if all the Trustees or the Trustee who made or executed such Appointment or Substitution of such Person or Persons as aforesaid were or was living, in order that it may be rendered, and it is hereby made and enacted to be, unnecessary for any Person or Persons dealing or having Transactions with the Person or Persons in *New South Wales*, so appointed or substituted under the Provision aforesaid, to ascertain that the Trustees or Trustee for the Time being making such Appointment or Substitution are or is living at the Time of the making, doing, performing, or executing any such Act or Deed as aforesaid.

General Saving.

VII. Saving always to the Queen's most Excellent Majesty, Her Heirs and Successors, and to all and every other Persons and Person, Bodies Politic and Corporate, and their respective Heirs, Successors, Executors, Administrators, and Assigns, other than and except the said *Ann Campbell Bligh*, her Heirs, Executors, and Administrators, and all and every Persons and Person claiming through, under, or in Trust for her, them, or any of them, all such Estate, Right, Title, Interest, Claim, and Demand whatsoever, in, to, and out of the said Part or Share of the said *Ann Campbell Bligh* of and in the said Lands and Hereditaments, as they or any of them had before the passing of this Act, or could or might have had if this Act had not been passed.

Act as printed by Queen's Printers to be Evidence.

VIII. And be it further enacted, That this Act shall be printed by the several Printers to the Queen's most Excellent Majesty duly authorized to print the Statutes of the United Kingdom; and a Copy thereof so printed by any of them shall be admitted as Evidence thereof by all Judges, Justices, and others.

The SCHEDULE referred to by the foregoing Act.

One thousand Acres of Land lying and situate in Upper Nelson District between Sydney and Hawkesbury, bounded on the East Side by the Chain of Ponds known by the Name of the Second Ponds, on the North-east Side by a Line North 40° West 123 Chains 20 Links, on the West Side by a Line South 24½° West 103 Chains 58 Links to the Hawkesbury Road, and on the South-west Side by that Road, the said One thousand Acres of Land being now or formerly known by the Name of Copenhagen, subject to the annual Quit Rent of Twenty Shillings.

Two hundred and forty Acres of Land lying and situate in the District of Petersham Hill, commencing from Thomas Rowley's North Corner on the Sydney and Parramatta Road, thence South 30° East 55 Chains bounding Rowley Farm, then East 30° North 45 Chains, thence North 24° West 17 Chains 50 Links to S. E. Corner of Foveaux Lease, along said Lease West 11° South 21 Chains, thence North 24° West 13 Chains 30 Links, and West 39° North to the Road along the Road on N. W. Side of Grose Farm to the Stream, which Stream to its Mouth is the North-east Boundary, and from thence up the Stream to Johnston's Bridge on the Parramatta Road is the Western Boundary, and then the Road to Rowley's North Corner, the said Two hundred and forty Acres of Land being now or formerly known by the Name of Camperdown, subject to the annual Quit Rent of Five Shillings.

One hundred and five Acres of Land lying and situate in the District of Parramatta, commencing 6 Chains to the Westward of the Bridge, and running from the River North 30 Chains, thence N. W. to Smith's Farm along S. E. Line of said Farm to the River which was to be the Boundary on West and South Sides, excepting the Leases of Caley and Eccles for the Terms thereof, and any others that may be included, and reserving Four Acres for the Use of the Mill bounded by the Mill-race and Pond, and to the River, and also a Road of Fifty Feet wide to communicate with the Mill leading to the Eastward in the most convenient Situation, the said One hundred and five Acres of Land being now or formerly known by the Name of Mount Betham, subject to the annual Quit Rent of Two Shillings.

All that Farm lying, situate, and being in the District of Mulgrave Place, bounded on the River Hawkesbury, containing One hundred and ten Acres, and now or formerly called or known by the Name of Simpson's Farm, and purchased by the said William Bligh from one James Simpson, together with all and singular the Buildings, Erections, Barns, Tenements, and Hereditaments on the said Farm,
and

and all and singular the Premises to the said Farm belonging or appertaining, or held and enjoyed as Parcel or Part thereof by virtue of the original Grant, bearing Date the Thirty-first Day of March in the Year of our Lord One thousand eight hundred and two, subject to the annual Quit Rent of One Shilling.

All those Sixty Acres of Land now or formerly known by the Name of Tylor Farm, lying and situate on the Banks of the River Hawkesbury in the District of Mulgrave Place, and bounding on the West Side by Flemming Farm, (deducting Twenty-four Acres on the West Side thereof, formerly sold to Thomas Jones,) originally granted by Demise from the Crown, bearing Date the First Day of May in the Year of our Lord One thousand seven hundred and ninety-seven, to Thomas Tylor, his Heirs and Assigns for ever, and by him sold to the said William Bligh deceased; as also all those One hundred and ten Acres of Land lying and situate in the said District of Mulgrave Place, bounded on the South Side by the above Allotment of Sixty Acres, and by Simpson's Farm, and also now or formerly known by the Name of Tylor Farm, originally granted by Demise from the Crown, bearing Date the Twelfth Day of April in the Year of our Lord One thousand eight hundred and three, to the said Thomas Tylor, his Heirs and Assigns for ever, and by him also sold to the said William Bligh deceased.

LONDON: Printed by GEORGE E. EYRE and ANDREW SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1839.