



CHAPTER 3.

An Act to amend the Earl of Aylesford's Estate Act, 1882. A.D. 1883.
[2nd August 1883.]

WHEREAS the Bill for the Earl of Aylesford's Estate Act 1882 was introduced on the Petition of Heneage seventh and present Earl of Aylesford and the said Act received the Royal Assent on the 10th day of August 1882 :

And whereas by the said Act it was recited that there was issue of the marriage of the present Earl and Edith Countess of Aylesford two daughters only and that the persons then living and entitled to estates for life and to the ultimate remainder in fee under the limitations of the settlement of the estates affected by the said Act were—

- (A) The present Earl as tenant for life in possession and also entitled to the ultimate remainder in fee ;
- (B) Charles Wightwick Finch ;
- (C) Daniel Harry Finch ; and
- (D) Clement Edward Finch ;

And that the persons then unborn who upon coming into existence might become entitled under the limitations of the said settlement were :—

- (a) Any sons of the present Earl and their issue male ;
- (b) Any sons of Charles Wightwick Finch and their issue male ;
- (c) Any sons of Daniel Harry Finch and their issue male ;
- (d) Any sons of Clement Edward Finch and their issue male ;

And by the said Act any sons of the present Earl and the heirs male of their respective bodies were excepted out of the general saving therein contained and were accordingly bound by the Act :

And whereas by the said Act the Right Honorable William Henry Earl Poulett and Frederick Robert Knollys were appointed trustees of the settlement of the said estates and also trustees for the purposes of the said Act :

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And whereas before the passing of the said Act that is to say on or about the 4th day of November 1881 a son was born of Edith Countess of Aylesford who was then living apart from her husband the present Earl and such child was registered in Paris on the 5th day of November 1881 by the name of Guy Bertrand :

And whereas in the year 1882 an action was commenced in the Chancery Division of the High Court of Justice distinguished as Finch versus Bertrand 1882 F. 1660 in which the Honorable Daniel Harry Finch is Plaintiff and the said Guy Bertrand an infant under the age of twenty-one years is Defendant being an action for perpetuating testimony in support of the case of the Plaintiff that the said Guy Bertrand is not a child of the marriage between the present Earl and the said Edith Countess of Aylesford :

And whereas by an Order made in the said action on the 20th day of February 1883 on the application of the Plaintiff it was ordered that the Official Solicitor of the Supreme Court be assigned guardian ad litem of the said infant Defendant and the said Official Solicitor (Henry Leigh Pemberton Esquire) was under Standing Order Number 163A of the House of Lords appointed on the 10th day of May 1883 by writing under the hand of the Lord Chancellor Guardian or Protector of the said infant Guy Bertrand to represent the said infant before the Committee of the House of Lords to whom the Bill for this Act was referred :

And whereas by reason of the allegations made against the legitimacy of the said Guy Bertrand and the doubts which have arisen whether having regard to the recitals in the said Act the said Guy Bertrand would if legitimate be bound thereby the purposes of the said Act cannot be carried into effect to the great injury of the present Earl and of all persons who are or may become entitled to the said estates under the limitations of the said settlement and it is expedient that such doubts should be removed but such object cannot be attained without the authority of Parliament :

Therefore Your Majesty's most dutiful and loyal subjects William Henry Earl Poulett and Frederick Robert Knollys most humbly beseech Your Majesty that it may be enacted and be it enacted by the Queen'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 :

1. The said Guy Bertrand if he is the legitimate son of the said Heneage seventh and present Earl of Aylesford and the heirs male of the body of the said Guy Bertrand is and are excepted out of the

Existing son
(if any) of
the present
Earl of

A.D. 1883.

general saving in the Earl of Aylesford's Estate Act 1882 contained and is and are accordingly bound by the said Act.

Aylesford
bound by his
Estate Act.

2. The costs charges and expenses of or incidental or preparatory to the obtaining or passing of this Act including those of the said Henry Leigh Pemberton as such guardian or protector as aforesaid and of the said Charles Wightwick Finch shall be deemed part of the costs charges and expenses provided for by Section 40 of the Earl of Aylesford's Estate Act 1882.

Expenses of
Act.

3. This Act may be cited for all purposes as the Earl of Aylesford's Estate (Amendment) Act 1883 and the same shall not be a public Act but shall be printed by the several printers to the Queen'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 thereof by all Judges Justices and others.

Short Title
and Act as
printed by
Queen's
Printers to
be evidence.

