

Legislative Council.

1942.

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## A BILL

To vest in Jacob Lollback the younger as Trustee of the Will and Codicil of Jacob Lollback the elder, all that piece or parcel of land containing 182 acres 2 roods 6 perches being the whole of the lands comprised in Certificate of Title Volume 882 Folio 227; and for purposes connected therewith.

[MR. ROBSON;—11 *November*, 1942.]

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**W**HEREAS Joseph Lollback of Copmanhurst on the 5th day of June 1888 became the registered proprietor of an estate in fee simple of the whole of the lands comprised in Certificate of Title Registered Volume 5 882 Folio 227 And whereas John Kirkpatrick instituted proceedings



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proceedings against the said Joseph Lollback in the District Court of the Northern District holden at Grafton on or about the fifth day of March 1892 for the recovery of certain moneys by Plaint No. 90 of 1892 And whereas  
5 the said John Kirkpatrick pursuant to such Plaint obtained judgment against the said Joseph Lollback on the eighteenth day of November 1892 And whereas the said John Kirkpatrick thereupon caused a Warrant of Execution No. 53 of 1892 to issue against the lands of  
10 the said Joseph Lollback out of the said Court And whereas the said Warrant of Execution was duly registered in the Office for the Registration of Deeds at Sydney on the 22nd day of December 1892 and Numbered 1784 And whereas pursuant to the said Warrant of Execution  
15 the said lands of the said Joseph Lollback at Copmanhurst were entered and attached by a Bailiff of the said Court in accordance with an authority first had and obtained by him from the Registrar of the said Court And whereas the sale of the said lands was duly advertised on the 5th day of January 1893 by the Registrar of  
20 the said Court and the said lands were duly submitted for sale by Public Auction on the 20th day of January 1893 And whereas Jacob Lollback the elder purchased all the right title and interest (if any) of the said Joseph  
25 Lollback in the said lands And whereas the Registrar of the said Court signed a receipt for the purchase money And whereas no Deed of Bargain and Sale or Memorandum of Transfer was ever executed for the purpose of vesting the title of the said lands in the said Jacob Lollback the elder And whereas the said Jacob Lollback the  
30 elder up to his decease on the 23rd day of October 1915 remained in undisputed possession of the said lands and paid all rates and taxes assessed thereon from time to time And whereas the said Jacob Lollback the elder  
35 farmed and improved the said lands And whereas by his last Will and testament dated the 23rd day of November 1914 the said Jacob Lollback the elder appointed Jacob Lollback (the Younger) Michael C. Gallagher and William Gallagher as his executors and trustees and by  
40 Codicil dated the 12th day of December 1914 the said Jacob Lollback the elder revoked the appointment of the  
said



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said Michael C. Gallagher and William Gallagher as his executors and trustees and appointed his wife Hannah Mary Lollback as executrix and trustee in their stead And whereas probate of the Will and Codicil of the said  
 5 Jacob Lollback the elder was granted to the said Hannah Mary Lollback and the said Jacob Lollback the Younger on the 9th day of December 1915 And whereas by his said Will the said Jacob Lollback the elder gave his wife the said Hannah Mary Lollback a life estate in the said lands  
 10 and directed that upon her death all his property should be sold and divided amongst his children And whereas the said Hannah Mary Lollback continued in undisputed occupation of the said lands until her death on the 29th day of July, 1936 And whereas it is expedient to vest  
 15 the said lands in Jacob Lollback the younger to be held by him as Trustee of the Will and Codicil of Jacob Lollback the elder And whereas it is expedient to provide for the matters hereinafter referred to: Be it therefore enacted by the King's Most Excellent Majesty  
 20 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 same as follows:—

**1.** This Act may be cited as "The Lollback Estate  
 25 (Copmanhurst Land) Title Act, 1942."

**2.** The lands described in the Schedule are hereby vested in Jacob Lollback the Younger for an estate in fee simple to be held by him as trustee of the Will and codicil of Jacob Lollback the elder.

**30 3.** The Registrar-General is hereby directed to make such entry or entries in the register book as may be necessary to carry out the provisions of this Act.

#### THE SCHEDULE.

**35** The Whole of the Lands comprised in Certificate of Title Registered Volume 882 Folio 227 dated the 5th day of June, 1888.



