
A BILL

To enable the Trustees under a certain Indenture of Settlement dated the 22nd day of August, One thousand eight hundred and fifty three, and made between Hugh Hamilton of the first part, Margaret Clunes Innes of the second part and George Macleay and John Stirling of the third part, in contemplation of the Marriage of the said Hugh Hamilton with the said Margaret Clunes Innes to sell certain Cattle and Horse stock part of the settled property, and to invest the money to arise from such sale on real securities upon the trusts of the said Settlement.

WHEREAS by an Indenture bearing date the twenty second day of August, One thousand eight hundred and fifty three, and made between Hugh Hamilton of the District of Lachlan in the Colony of New South Wales Esquire of the first part Margaret Clunes Innes of Parramatta in the County of Cumberland in the same Colony Spinster of the second part and George Macleay of Brownlow Hill in the County of Camden in the same Colony and John Stirling of Mossman's Bay in the said County of Cumberland Esquires of the third part, after reciting among other things that a marriage was intended shortly to be solemnized between the said Hugh Hamilton and Margaret Clunes Innes, the said Hugh Hamilton did assign transfer and set over unto the said George Macleay and John Stirling and the survivor of them his executors and administrators among other things five hundred head of Cattle and five brood Mares then depasturing at Tommanbil Boyde in the district of Lachlan in the said Colony of New South Wales being all then the property of and in the possession of the said Hugh Hamilton together with all the increase progeny produce profits benefits and advantages of and from the said Cattle and Mares from time to time respectively arising and accruing upon trust from time to time and at any time or times to sell exchange or otherwise dispose of such and so many of the said Cattle and of the said Brood Mares respectively and of the increase progeny and produce thereof respectively as to them should seem most expedient and for the benefit of the persons interested under the trusts therein expressed and declared but so nevertheless as to maintain as nearly as may be during the continuance of all or any of the said trusts the same number of Brood Mares as aforesaid and a number of Cattle equal to the number thereof thereby assigned or a proportionate number according to the trusts from time to time subsisting and from time to time at proper and convenient seasons of the year by Public Sale or otherwise to convert into money the excess of such Cattle and the increase progeny and produce thereof over and above such full or proportionate number as the case may be whether of Cattle or Brood Mares and out of such money and all or any other the proceeds from time to time coming to their hands by way of profits or otherwise of the said Cattle or their increase and progeny or the increase and progeny of any such Mares to supply any deficiency which may occur by accident or otherwise among such full or proportionate number of Cattle or Mares as aforesaid and to

pay all necessary and proper charges salaries expenses and outgoings of and incident to the management superintendence and due maintenance of all Cattle and Mares and their respective increase and progeny from time to time in the possession or power of the said Trustees and otherwise incident to the Trusts thereby expressed and declared concerning the same and upon Trust to carry the clear balance of such moneys proceeds or profits after such deductions as aforesaid to a fund to be called The Trust Fund; and by the said Indenture certain Trusts were declared of the said Trust Fund and the other property in the hands of the said Trustees including the said Cattle and Mares for the benefit of the said Hugh Hamilton and Margaret Clunes Innes and their Children respectively. AND WHEREAS the said intended Marriage between the said Hugh Hamilton and Margaret Clunes Innes was duly had and solemnized shortly after the date of the said Indenture. AND WHEREAS the said Hugh Hamilton and Margaret Clunes Hamilton are still living and there is issue of the said Marriage three Children (that is to say) Hugh Montgomerie, George Innes, and an Infant Daughter unnamed.

AND WHEREAS the Trusts for the management superintendence and maintenance of the said Cattle and Mares have been found inconvenient and burdensome and it would be advantageous to all the parties beneficially interested under the Trusts of the said Indenture if the Trustees of the said Indenture had power at their discretion to sell and absolutely dispose of the said Cattle and Horse Stock and to invest the Money to arise from such sale on real securities upon the Trusts of the said Indenture but the said Indenture does not contain any power enabling the said Trustees so to do, Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales and by the Authority of the same as follows:—

Trustees may sell
Cattle and Horse
Stock.

I. It shall be lawful for the said George Macleay and John Stirling or the survivor of them or other the Trustees or Trustee for the time being of the said Indenture with the consent in writing of the said Hugh Hamilton and Margaret Clunes Hamilton his wife or of the Survivor of them and after the decease of such Survivor at the absolute discretion of such Trustees or Trustee to sell and dispose of the whole of the said Cattle and Horse Stock and their respective increase and progeny by public Auction or private Contract and either in one lot or in several lots and at one or more time or times as they or he shall think most expedient for such price or prices as can reasonably be obtained for the same and to assign and transfer the same to the purchaser or respective purchasers thereof freed and discharged from the Trusts created and declared by the said Indenture, and the receipt or receipts in writing of the said George Macleay and John Stirling or the Survivor of them or other the Trustees or Trustee for the time being of the said Indenture shall absolutely discharge the purchaser or purchasers of the said Cattle and Horse Stock or any part or parts thereof from the purchase Money payable by him or them respectively and shall exonerate

him or them from seeing to the application of the said purchase money and from all liability as to the mis-application or non-application thereof.

- II. It shall be lawful for the said George Macleay and John Stirling or
 5 the Survivor of them or other the Trustees or Trustee for the time
 being of the said Indenture with the consent in writing of the said
 Hugh Hamilton and Margaret Clunes Hamilton his wife or the Survivor
 of them and after the decease of such Survivor at the absolute discretion
 of such Trustees or Trustee to invest the Moneys to arise from such
 10 sale or sales at interest upon real securities in New South Wales and
 also from time to time with the like consent or at the like discretion
 to alter vary and transpose the securities upon which the said Moneys
 shall be invested for other securities of the same and similar description
 and the said securities and the interest of the Moneys invested thereon
 15 shall go and be payable and paid to such person and persons and applied
 to for and upon such Trusts intents and purposes as are in and by the
 said Indenture respectively mentioned and declared in relation to the
 said Trust Fund and the said Cattle and Mares in the said Indenture
 mentioned as if this Act had not been passed.
- 20 III. In citing this Act any in instrument document or proceeding it
 shall be sufficient to use the expression "Hamilton's Trust Act." Title of Act.

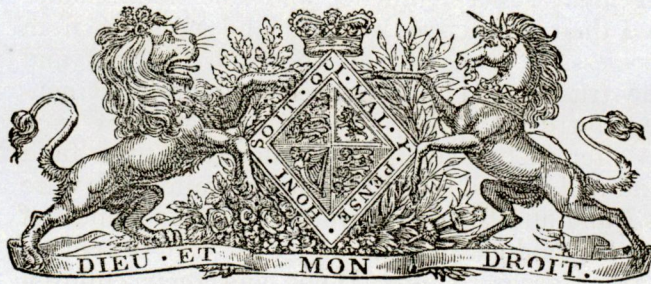
Trustees may invest
 Moneys proceeds of
 Sales upon Real
 Securities.

This PRIVATE BILL, having been this day passed by the LEGISLATIVE COUNCIL, is ready for presentation to the LEGISLATIVE ASSEMBLY, for its concurrence.

*Legislative Council Chamber,
Sydney, 30th June, 1858. }*

*WM. MACPHERSON,
Clerk of the Legislative Council.*

New South Wales.



ANNO VICESIMO SECUNDO

VICTORIÆ REGINÆ.

An Act to enable the Trustees of the Settlement made on the marriage of Hugh Hamilton with Margaret Clunes Innes to sell part of the trust property and invest the proceeds of sale on real Securities.

WHEREAS by an Indenture bearing date the twenty-second day of ^{Preamble.} August one thousand eight hundred and fifty-three and made between Hugh Hamilton of the District of Lachlan in the Colony of New South Wales Esquire of the first part Margaret Clunes Innes of Parramatta in the County of Cumberland in the same Colony Spinster of the second part and George Macleay of Brownlow Hill in the County of Camden in the same Colony and John Stirling of Mossman's Bay in the said County of Cumberland Esquires of the third part after reciting among other things that a marriage was intended shortly to be solemnized between the said Hugh Hamilton and Margaret Clunes Innes the said Hugh Hamilton did assign transfer and set over unto the said George Macleay and John Stirling and the survivor of them his executors and administrators among other things five hundred head of cattle and five brood mares then depasturing at Tommanbil Boyde in the District of Lachlan in the said Colony of New South Wales being all then the property of and in the possession of the said Hugh Hamilton together with all the increase progeny produce profits benefits and advantages of and from the said cattle and mares from time to time respectively arising and accruing upon trust from time to time and at any time or times to sell exchange or otherwise dispose of such and so many of the said cattle and of the said brood mares respectively and of the increase progeny and produce thereof respectively as to them should seem most expedient and for the benefit of the persons interested under the trusts therein expressed and declared but so nevertheless as to maintain as nearly as may be during the continuance of all or any of the said trusts the same number of brood mares as aforesaid and a number of cattle

Hamilton's Trust Act.—1858.

equal to the number thereof thereby assigned or a proportionate number according to the trusts from time to time subsisting and from time to time at proper and convenient seasons of the year by public sale or otherwise to convert into money the excess of such cattle and the increase progeny and produce thereof over and above such full and proportionate number as the case may be whether of cattle or brood mares and out of such money and all or any other the proceeds from time to time coming to their hands by way of profits or otherwise of the said cattle or their increase and progeny or the increase and progeny of any such mares to supply any deficiency which may occur by accident or otherwise among such full or proportionate number of cattle or mares as aforesaid and to pay all necessary and proper charges salaries expenses and outgoings of and incident to the management superintendence and due maintenance of all cattle and mares and their respective increase and progeny from time to time in the possession or power of the said Trustees and otherwise incident to the trusts thereby expressed and declared concerning the same and upon trust to carry the clear balance of such moneys proceeds or profits after such deductions as aforesaid to a fund to be called the Trust Fund and by the said Indenture certain trusts were declared of the said Trust Fund and the other property in the hands of the said Trustees including the said cattle and mares for the benefit of the said Hugh Hamilton and Margaret Clunes Innes and their children respectively And whereas the said intended marriage between the said Hugh Hamilton and Margaret Clunes Innes was duly had and solemnized shortly after the date of the said Indenture And whereas the said Hugh Hamilton and Margaret Clunes Hamilton are still living and there is issue of the said marriage three children (that is to say) Hugh Montgomerie George Innes and an infant daughter unnamed And whereas the trusts for the management superintendence and maintenance of the said cattle and mares have been found inconvenient and burdensome and it would be advantageous to all the parties beneficially interested under the trusts of the said Indenture if the Trustees of the said Indenture had power at their discretion to sell and absolutely dispose of the said cattle and horse stock and to invest the money to arise from such sale on real securities upon the trusts of the said Indenture but the said Indenture does not contain any power enabling the said Trustees so to do Be it therefore enacted by the Queen's Most Excellent Majesty 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 the same as follows:—

1. It shall be lawful for the said George Macleay and John Stirling or the survivor of them or other the Trustees or Trustee for the time being of the said Indenture with the consent in writing of the said Hugh Hamilton and Margaret Clunes Hamilton his wife or of the survivor of them and after the decease of such survivor at the absolute discretion of such Trustees or Trustee to sell and dispose of the whole of the said cattle and horse stock and their respective increase and progeny by public auction or private contract and either in one lot or in several lots and at one or more time or times as they or he shall think most expedient for such price or prices as can reasonably be obtained for the same and to assign and transfer the same to the purchaser or respective purchasers thereof freed and discharged from the trusts created and declared by the said Indenture and the receipt or receipts in writing of the said George Macleay and John Stirling or the survivor of them or other the Trustees or Trustee for the time being of the said Indenture shall absolutely discharge the purchaser or purchasers of the said cattle and horse stock or any part or parts thereof from the purchase money payable by him or them respectively and shall exonerate him or them from seeing to the application of the said purchase money and from all liability as to the misapplication or non-application thereof.

Trustees may sell
cattle and horse
stock.

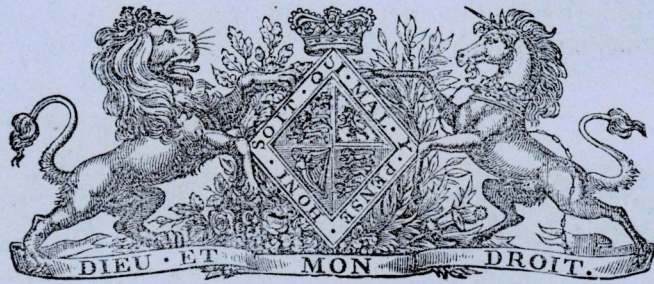
Hamilton's Trust Act.—1858.

2. It shall be lawful for the said George Macleay and John Stirling Trustees may invest
 or the survivor of them or other the Trustees or Trustee for the time being moneys proceeds of
 of the said Indenture with the consent in writing of the said Hugh sales upon real secu-
 Hamilton and Margaret Clunes Hamilton his wife or the survivor of them rities.
 5 and after the decease of such survivor at the absolute discretion of such
 Trustees or Trustee to invest the moneys to arise from such sale or sales at
 interest upon real securities in New South Wales and also from time to
 time with the like consent or at the like discretion to alter vary and
 transpose the securities upon which the said money shall be invested
 10 for other securities of the same description and the said securities and
 the interest of the moneys invested thereon shall go and be payable
 and paid to such person and persons and applied to for and upon such
 trusts intents and purposes as are in and by the said Indenture respectively
 mentioned and declared in relation to the said Trust Fund and the said
 15 cattle and mares in the said Indenture mentioned as if this Act had not
 been passed.

3. In citing this Act in any instrument document or proceeding Title of Act.
 it shall be sufficient to use the expression "Hamilton's Trust Act."

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New South Wales.



ANNO VICESIMO SECUNDO

VICTORIÆ REGINÆ

An Act to enable the Trustees of the Settlement made on the marriage of Hugh Hamilton with Margaret Clunes Innes to sell part of the trust property and invest the proceeds of sale on real Securities. [Assented to, 13th August, 1858.]

WHEREAS by an Indenture bearing date the twenty-second day of Preamble.
August one thousand eight hundred and fifty-three and made between Hugh Hamilton of the District of Lachlan in the Colony of New South Wales Esquire of the first part Margaret Clunes Innes of Parramatta in the County of Cumberland in the same Colony Spinster of the second part and George Macleay of Brownlow Hill in the County of Camden in the same Colony and John Stirling of Mossman's Bay in the said County of Cumberland Esquires of the third part after reciting among other things that a marriage was intended shortly to be solemnized between the said Hugh Hamilton and Margaret Clunes Innes the said Hugh Hamilton did assign transfer and set over unto the said George Macleay and John Stirling and the survivor of them his executors and administrators among other things five hundred head of cattle and five brood mares then depasturing at Tommanbil Boyde in the District of Lachlan in the said Colony of New South Wales being all then the property of and in the possession of the said Hugh Hamilton together with all the increase progeny produce profits benefits and advantages of and from the said cattle and mares from time to time respectively arising and accruing upon trust from time to time and at any time or times to sell exchange or otherwise dispose of such and so many of the said cattle and of the said brood mares respectively and of the increase progeny and produce thereof respectively as to them should seem most expedient and for the benefit of the persons interested under the trusts therein expressed and declared but so nevertheless as to maintain as nearly as may be during the continuance of all or any of the said trusts the same number of brood mares as aforesaid and a number of cattle equal

Hamilton's Trust Act.—1858.

equal to the number thereof thereby assigned or a proportionate number according to the trusts from time to time subsisting and from time to time at proper and convenient seasons of the year by public sale or otherwise to convert into money the excess of such cattle and the increase progeny and produce thereof over and above such full and proportionate number as the case may be whether of cattle or brood mares and out of such money and all or any other the proceeds from time to time coming to their hands by way of profits or otherwise of the said cattle or their increase and progeny or the increase and progeny of any such mares to supply any deficiency which may occur by accident or otherwise among such full or proportionate number of cattle or mares as aforesaid and to pay all necessary and proper charges salaries expenses and outgoings of and incident to the management superintendence and due maintenance of all cattle and mares and their respective increase and progeny from time to time in the possession or power of the said Trustees and otherwise incident to the trusts thereby expressed and declared concerning the same and upon trust to carry the clear balance of such moneys proceeds or profits after such deductions as aforesaid to a fund to be called the Trust Fund and by the said Indenture certain trusts were declared of the said Trust Fund and the other property in the hands of the said Trustees including the said cattle and mares for the benefit of the said Hugh Hamilton and Margaret Clunes Innes and their children respectively And whereas the said intended marriage between the said Hugh Hamilton and Margaret Clunes Innes was duly had and solemnized shortly after the date of the said Indenture And whereas the said Hugh Hamilton and Margaret Clunes Hamilton are still living and there is issue of the said marriage three children (that is to say) Hugh Montgomerie George Innes and an infant daughter unnamed And whereas the trusts for the management superintendence and maintenance of the said cattle and mares have been found inconvenient and burdensome and it would be advantageous to all the parties beneficially interested under the trusts of the said Indenture if the Trustees of the said Indenture had power at their discretion to sell and absolutely dispose of the said cattle and horse stock and to invest the money to arise from such sale on real securities upon the trusts of the said Indenture but the said Indenture does not contain any power enabling the said Trustees so to do Be it therefore enacted by the Queen's Most Excellent Majesty 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 the same as follows:—

Trustees may sell
cattle and horse
stock.

1. It shall be lawful for the said George Macleay and John Stirling or the survivor of them or other the Trustees or Trustee for the time being of the said Indenture with the consent in writing of the said Hugh Hamilton and Margaret Clunes Hamilton his wife or of the survivor of them and after the decease of such survivor at the absolute discretion of such Trustees or Trustee to sell and dispose of the whole of the said cattle and horse stock and their respective increase and progeny by public auction or private contract and either in one lot or in several lots and at one or more time or times as they or he shall think most expedient for such price or prices as can reasonably be obtained for the same and to assign and transfer the same to the purchaser or respective purchasers thereof freed and discharged from the trusts created and declared by the said Indenture and the receipt or receipts in writing of the said George Macleay and John Stirling or the survivor of them or other the Trustees or Trustee for the time being of the said Indenture shall absolutely discharge the purchaser or purchasers of the said cattle and horse stock or any part or parts thereof from the purchase money payable by him or them respectively and shall exonerate him or them from seeing to the application of the said purchase money and from all liability as to the misapplication or non-application thereof.

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Hamilton's Trust Act.—1858.

2. It shall be lawful for the said George Macleay and John Stirling or the survivor of them or other the Trustees or Trustee for the time being of the said Indenture with the consent in writing of the said Hugh Hamilton and Margaret Clunes Hamilton his wife or the survivor of them and after the decease of such survivor at the absolute discretion of such Trustees or Trustee to invest the moneys to arise from such sale or sales at interest upon real securities in New South Wales and also from time to time with the like consent or at the like discretion to alter vary and transpose the securities upon which the said money shall be invested for other securities of the same description and the said securities and the interest of the moneys invested thereon shall go and be payable and paid to such person and persons and applied to for and upon such trusts intents and purposes as are in and by the said Indenture respectively mentioned and declared in relation to the said Trust Fund and the said cattle and mares in the said Indenture mentioned as if this Act had not been passed.

Trustees may invest moneys proceeds of sales upon real securities.

3. In citing this Act in any instrument document or proceeding it shall be sufficient to use the expression "Hamilton's Trust Act." Title of Act.

ST. VICTOR

London: T. and A. Nisbet

The following is a list of the names of the persons who have been elected to the office of St. Victor, in the year 1851. The names are arranged in alphabetical order, and are given in full, with their respective residences. The names are as follows: [The text is extremely faint and illegible, but appears to be a list of names and addresses.]

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