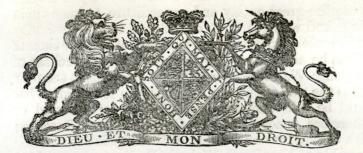
This PRIVATE BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

Legislative Assembly Chamber, Sydney, 19 September, 1862.

CHA. TOMPSON, Clerk of Legislative Assembly.

### New South Wales.



ANNO VICESIMO SEXTO

## VICTORIÆ REGINÆ.

An Act to enable the Trustees of a Settlement made by John Dickson Gibson and Catherine Anne Leary of Land in the City of Sydney to sell the said Land and to make provision for the investment of the proceeds of the sale thereof.

THEREAS by an indenture bearing date on or about the eleventh Preamble. day of October in the year of our Lord one thousand eight hundred and fifty-four and made between John Dickson Gibson of the first part Catherine Anne Leary of the second part and Andrew 5 Lenehan Richard Harnett and Edward Wyld (therein styled Trustees) of the third part reciting amongst other things an intended marriage between the said John Dickson Gibson and Catherine Anne Leary and an agreement for the settlement of the conditions therein mentioned in manner thereinafter appearing it is witnessed that in consideration 10 of the said intended marriage and in pursuance of the said agreement the said Catherine Anne Leary with the privity and consent of the said John Dickson Gibson her intended husband and in pursuance of the power and authority to her reserved in and by a certain indenture bearing date the ninth day of August in the year of our Lord one 15 thousand eight hundred and fifty-two and made between Daniel Joseph Tierney and Andrew Lenehan of the first part George Leary of the second part the said Catherine Anne Leary of the third part and John Dunsmure of the fourth part and by virtue of every other power and authority her in anywise enabling in that behalf appointed and released 20 the lands hereditaments and premises comprised in the said indenture of the ninth day of August one thousand eight hundred and fifty-two 543-(6) and

26º VICTORIÆ.

### Gibson's Estate.

and in the new resiting indentury of settlement also described	<b>C</b> 1
and in the now reciting indenture of settlement also described	or
referred to unto the said trustees and their heirs for ever upon cer	tain
trusts in the said indenture of settlement expressed for the benefi	t of
the said Catherine Anne Leary and John Dickson Gibson or the	
5 vivor of them and the children of the said intended marriage	
whereas the said John Dickson Gibson duly intermarried with	
said Catherine Anne Leary and the said John Dickson Gibson depar	
this life on or about the fifth day of September in the year of our I	lord
one thousand eight hundred and sixty-one leaving behind him the	
10 Catherine Anne Gibson (late Catherine Anne Leary) and issue of	
said marriage him surviving And whereas the said Edward Wyld	nas
never in any way acted or intermeddled in the trusts of the said set	
ment And whereas the said indenture contains no power for the tru	stee
or trustees therein named or thereby appointed to sell the said 1	
15 And whereas the buildings on the said land are very old	
from time to time require great outlay and expenditure to keep th	iem
in tenantable repair And whereas it is considered that if autho	
can be obtained for the sale of such land the proceeds of the sale the	reof
may from time to time be advantageously invested in the purchas	e of
20 other lands in New South Wales or upon real or Government secu	
therein And whereas the said Catherine Anne Gibson is desirous t	that
the said lands should be sold and the proceeds thereof invested	
aforesaid Be it therefore enacted by the Queen's Most Excell	lent
Majesty by and with the advice and consent of the Legislative Cou	ncil
25 and Legislative Assembly of New South Wales in Parliament assemb	oled
and by the authority of the same as follows :	
1. It shall be lawful for the said Andrew Lenehan and Rich	and Land may be sold
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Harnett as such trustees as aforesaid or the trustee or trustees for	the chasers discharged
time being of the said settlement to sell the lands and hereditame	ents from the trusts of
30 comprised in the said indenture either by public auction or by priv	ate settlement.
contract and either in one or more parcels or allotments and with s	uch
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<ul> <li>rights of way in and over any portion of such land as he or they sl deem most expedient and for such price or prices as can be reasonal obtained for the same and when sold to convey the same or any provide and the purchaser or purchasers their or his heirs assigns or to such uses and in such manner as such purchaser or purchasers may direct and thereupon the said hereditaments or such provides thereof as shall be so conveyed by the said Andrew Lenehan are Richard Harnett or the trustees or trustee for the time being of 40 said settlement and the legal estate therein shall vest absolutely in person or persons to whom the same shall be so conveyed their here and assigns or go and remain to such uses and in such manner aforesaid freed and discharged from the trusts created by the sindenture.</li> <li>45 2. It shall be lawful for the said Andrew Lenehan and Richt Harnett or the trustee or trustees for the time being of the said settlement to allow to any purchaser or purchasers of the said land or a part or parts thereof credit for any number of years not exceed seven years for payment of his or her purchase money or any p</li> <li>50 thereof upon such terms as to interest or otherwise as may by the shall remain unconveyed or be otherwise rendered a security for unpaid purchase money together with the interest thereon until for same shall have been paid and further that either as a part of the caid Andrew Lenehan and Richard Harnett or the said settlement be deemed proper Provided the last shall remain unconveyed or be otherwise rendered a security for unpaid purchase money together with the interest thereon until for the said and further that either as a part of the construction of the said and further that either as a part of the construction.</li> </ul>	hall bly part s or our- aart and the the the eirs as aid ard Credit may be given to purchasers for payment of purchase my money. ing art aid the the be the payment of purchase my money.
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<ul> <li>rights of way in and over any portion of such land as he or they sl deem most expedient and for such price or prices as can be reasonal obtained for the same and when sold to convey the same or any p</li> <li>35 or parts thereof to the purchaser or purchasers their or his heirs assigns or to such uses and in such manner as such purchaser or puchasers may direct and thereupon the said hereditaments or such p thereof as shall be so conveyed by the said Andrew Lenehan a Richard Harnett or the trustees or trustee for the time being of 40 said settlement and the legal estate therein shall vest absolutely in person or persons to whom the same shall be so conveyed their he and assigns or go and remain to such uses and in such manner aforesaid freed and discharged from the trusts created by the sindenture.</li> <li>45 2. It shall be lawful for the said Andrew Lenehan and Richard to the trustee or trustees for the time being of the said land or a part or parts thereof credit for any number of years not exceed seven years for payment of his or her purchase money or any p</li> <li>50 thereof upon such terms as to interest or otherwise as may by the shall remain unconveyed or be otherwise rendered a security for unpaid purchase money together with the interest thereon until shall remain unconveyed or be otherwise rendered a security for unpaid purchase or otherwise it shall be lawful for the said Andrew Lenehan and Richard Harnett or the trustee or trustees for the trustee or trustees for the trustee or trustees for the said settlement be deemed proper Provided the last shall remain unconveyed or be otherwise rendered a security for unpaid purchase money together with the interest thereon until for the said Andrew Lenehan and Richard Harnett or the trustee or trustees for the cat as a part of the trustee or otherwise it shall be lawful for the said Andrew Lenehan and Richard Harnett or the trustee or trustees for the cat as a part of the cat as a part</li></ul>	nall bly part s or our- aart and the the eirs as aid ard Credit may be given to purchasers for payment of purchase my money. ing art aid the the pon- ew me
<ul> <li>rights of way in and over any portion of such land as he or they sl deem most expedient and for such price or prices as can be reasonal obtained for the same and when sold to convey the same or any p</li> <li>35 or parts thereof to the purchaser or purchasers their or his heirs assigns or to such uses and in such manner as such purchaser or puchasers may direct and thereupon the said hereditaments or such p thereof as shall be so conveyed by the said Andrew Lenehan a Richard Harnett or the trustees or trustee for the time being of</li> <li>40 said settlement and the legal estate therein shall vest absolutely in person or persons to whom the same shall be so conveyed their he and assigns or go and remain to such uses and in such manner aforesaid freed and discharged from the trusts created by the sindenture.</li> <li>45 2. It shall be lawful for the said Andrew Lenehan and Richt Harnett or the trustee or trustees for the time being of the said settment to allow to any purchaser or purchasers of the said land or a part or parts thereof credit for any number of years not exceed seven years for payment of his or her purchase money or any p</li> <li>50 thereof upon such terms as to interest or otherwise as may by the shall remain unconveyed or be otherwise rendered a security for unpaid purchase money together with the interest thereon until the shall remain and Richard Harnett or the trustee or trustees for the time being of the said settlement be deemed proper Provided the la shall remain unconveyed or be otherwise rendered a security for unpaid purchase money together with the interest thereon until the being of the said settlement to the trustee or otherwise it shall be lawful for the said Andre Lenehan and Richard Harnett or the trustee or trustees for the time being of the said settlement to the trustee or trustees for the shall remain unconveyed or be otherwise rendered a security for the provided the la shall remain unconveyed or be otherwise rendered a security for the shall remain unconveyed or be</li></ul>	nall bly part s or pur- part and the the eirs as aid ard Credit may be given to purchasers for payment of purchase my money. ing art aid the the payment of purchase my money.
<ul> <li>rights of way in and over any portion of such land as he or they sl deem most expedient and for such price or prices as can be reasonal obtained for the same and when sold to convey the same or any p 35 or parts thereof to the purchaser or purchasers their or his heirs assigns or to such uses and in such manner as such purchaser or prices as thereof as shall be so conveyed by the said Andrew Lenehan a Richard Harnett or the trustees or trustee for the time being of 40 said settlement and the legal estate therein shall vest absolutely in person or persons to whom the same shall be so conveyed their he and assigns or go and remain to such uses and in such manner aforesaid freed and discharged from the trusts created by the sindenture.</li> <li>45 2. It shall be lawful for the said Andrew Lenehan and Rich Harnett or the trustee or trustees for the time being of the said settlement to allow to any purchaser or purchasers of the said land or a part or parts thereof credit for any number of years not exceed seven years for payment of his or her purchase money or any p</li> <li>50 thereof upon such terms as to interest or otherwise as may by the shall remain unconveyed or be otherwise rendered a security for unpaid purchase money to gether with the interest thereon until shall remain unconveyed or be otherwise rendered a security for trustee or trustees or the said and further that either as a part of the cat and Richard Harnett or the trustee or trustees for the time being of the said settlement to lay out and invest any part of the period the said and further that either as a part of the cat and settlement to lay out and invest any part of the period settlement to lay out and invest any part of the period of the said and further that either as a part of the period.</li> </ul>	nall bly part s or pur- part and the the eirs as aid ard Credit may be given to purchasers for payment of purchase my money. ing art aid the the payment of purchase my money.

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26° VICTORIÆ.

### Gibson's Estate.

in the said trusts or any part of the said trust moneys upon mortgage of the same or of any other part of the said land to be taken from any purchaser or purchasers thereof or his her or their heirs or assigns.

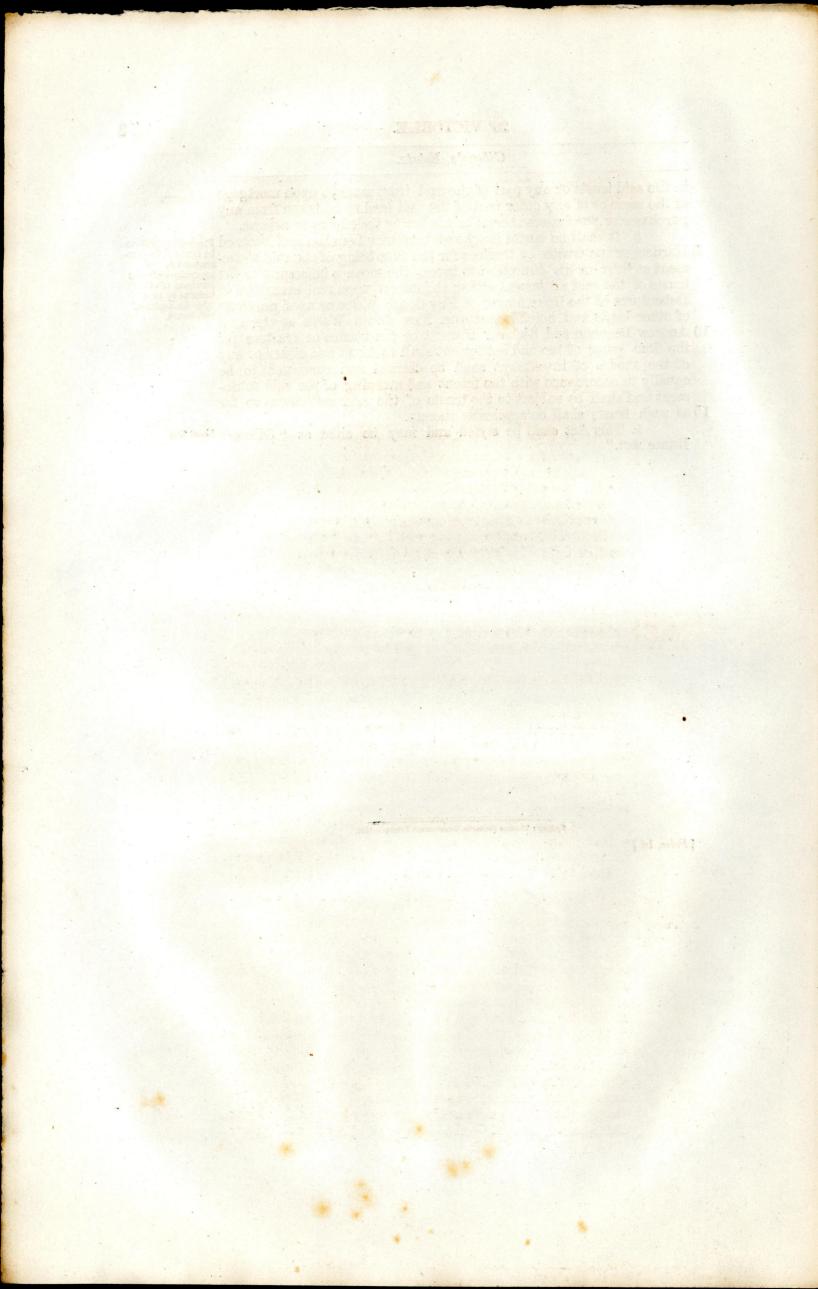
3. It shall be lawful for the said Andrew Lenchan and Richard Proceeds of sales to 5. It shall be lawfull for the said Andrew Lenenan and Richard Proceeds of sales to
5 Harnett or the trustee or trustees for the time being of the said settle-be invested in Gov-ernment or real trusts of the said settlement either at interest upon real securities or in the purchase of other lands to be held Debentures of the Government of New South Wales or upon purchase upon the trusts of of other lands and hereditaments in New South Wales as the said
10 Andrew Lenehan and Richard Harnett or the trustee or trustees for the time being of the said settlement shall think fit and either or any

the time being of the said settlement shall think fit and either or any of the modes of investment shall be deemed and construed to be equally in accordance with the intent and meaning of the said settlement and shall be subject to the trusts of the said settlement so far 15 as such trusts shall be applicable thereto.

4. This Act shall be styled and may be cited as "Gibson's Short title. Estate Act."

[Price, 1d.]

Sydney : Thomas Richards, Government Printer .- 1862.



# New South Wales.



ANNO VICESIMO SEXTO

## VICTORIÆ REGINÆ.

An Act to enable the Trustees of a Settlement made by John Dickson Gibson and Catherine Anne Leary of Land in the City of Sydney to sell the said Land and to make provision for the investment of the proceeds of the sale thereof. [Assented to, 7th November, 1862.]

HEREAS by an indenture bearing date on or about the eleventh Preamble. day of October in the year of our Lord one thousand eight hundred and fifty-four and made between John Dickson Gibson of the first part Catherine Anne Leary of the second part and Andrew Lenehan Richard Harnett and Edward Wyld (therein styled Trustees) of the third part reciting amongst other things an intended marriage between the said John Dickson Gibson and Catherine Anne Leary and an agreement for the settlement of the conditions therein mentioned in manner thereinafter appearing it is witnessed that in consideration of the said intended marriage and in pursuance of the said agreement the said Catherine Anne Leary with the privity and consent of the said John Dickson Gibson her intended husband and in pursuance of the power and authority to her reserved in and by a certain indenture bearing date the ninth day of August in the year of our Lord one thousand eight hundred and fifty-two and made between Daniel Joseph Tierney and Andrew Lenehan of the first part George Leary of the second part the said Catherine Anne Leary of the third part and John Dunsmure of the fourth part and by virtue of every other power and authority her in anywise enabling in that behalf appointed and released the lands hereditaments and premises comprised in the said indenture of the ninth day of August one thousand eight hundred and fifty-two and in the now reciting indenture of settlement also described or referred to unto the said trustees and their heirs for ever upon certain trusts in the said indenture of settlement expressed for the benefit of the said Catherine Anne Leary and John Dickson Gibson or the survivor

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#### Gibson's Estate.

vivor of them and the children of the said intended marriage And whereas the said John Dickson Gibson duly intermarried with the said Catherine Anne Leary and the said John Dickson Gibson departed this life on or about the fifth day of September in the year of our Lord one thousand eight hundred and sixty-one leaving behind him the said Catherine Anne Gibson (late Catherine Anne Leary) and issue of the said marriage him surviving And whereas the said Edward Wyld has never in any way acted or intermeddled in the trusts of the said settlement And whereas the said indenture contains no power for the trustee or trustees therein named or thereby appointed to sell the said land And whereas the buildings on the said land are very old and from time to time require great outlay and expenditure to keep them in tenantable repair And whereas it is considered that if authority can be obtained for the sale of such land the proceeds of the sale thereof may from time to time be advantageously invested in the purchase of other lands in New South Wales or upon real or Government security therein And whereas the said Catherine Anne Gibson is desirous that the said lands should be sold and the proceeds thereof invested as aforesaid 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 :-

Land may be sold and conveyed to pur-chasers discharged from the trusts of settlement.

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1. It shall be lawful for the said Andrew Lenehan and Richard Harnett as such trustees as aforesaid or the trustee or trustees for the time being of the said settlement to sell the lands and hereditaments comprised in the said indenture either by public auction or by private contract and either in one or more parcels or allotments and with such rights of way in and over any portion of such land as he or they shall deem most expedient and for such price or prices as can be reasonably obtained for the same and when sold to convey the same or any part or parts thereof to the purchaser or purchasers their or his heirs or assigns or to such uses and in such manner as such purchaser or purchasers may direct and thereupon the said hereditaments or such part thereof as shall be so conveyed by the said Andrew Lenehan and Richard Harnett or the trustees or trustee for the time being of the said settlement and the legal estate therein shall vest absolutely in the person or persons to whom the same shall be so conveyed their heirs and assigns or go and remain to such uses and in such manner as aforesaid freed and discharged from the trusts created by the said indenture.

2. It shall be lawful for the said Andrew Lenehan and Richard payment of purchase Harnett or the trustee or trustees for the time being of the said settle-money. ment to allow to any purchase or trustees for the time being of the said settlement to allow to any purchaser or purchasers of the said land or any part or parts thereof credit for any number of years not exceeding seven years for payment of his or her purchase money or any part thereof upon such terms as to interest or otherwise as may by the said Andrew Lenehan and Richard Harnett or the trustee or trustees for the time being of the said settlement be deemed proper Provided the land shall remain unconveyed or be otherwise rendered a security for the unpaid purchase money together with the interest thereon until the same shall have been paid and further that either as a part of the contract of purchase or otherwise it shall be lawful for the said Andrew Lenehan and Richard Harnett or the trustee or trustees for the time being of the said settlement to lay out and invest any part of the proceeds of the sale of the said land or any other land originally comprised in the said trusts or any part of the said trust moneys upon mortgage of the same or of any other part of the said land to be taken from any purchaser or purchasers thereof or his her or their heirs or assigns.

Credit may be given to purchasers for

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### Gibson's Estate.

3. It shall be lawful for the said Andrew Lenehan and Richard Proceeds of sales to Harnett or the trustee or trustees for the time being of the said settle-ment at their or his discretion to invest the moneys belonging to the securities or in the trusts of the said settlement either at interest upon real securities or lands to be held Debentures of the Government of New South Wales or upon purchase upon the trusts of of other lands and hereditaments in New South Wales as the said Andrew Lenehan and Richard Harnett or the trustee or trustees for Andrew Lenehan and Richard Harnett or the trustee or trustees for the time being of the said settlement shall think fit and either or any of the modes of investment shall be deemed and construed to be equally in accordance with the intent and meaning of the said settlement and shall be subject to the trusts of the said settlement so far

as such trusts shall be applicable thereto. 4. This Act shall be styled and may be cited as "Gibson's Short title. Estate Act."

By Authority : THOMAS RICHARDS, Government Printer, Sydney, 1862.

[Price, 1d.]

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