

New South Wales.



ANNO QUINQUAGESIMO SEXTO

VICTORIÆ REGINÆ.

No. XXVII.

An Act to amend the "Trust Property Act of 1862."
[Assented to, 13th June, 1893.]

WHEREAS the "Trust Property Act of 1862" makes provision ^{Preamble.} for the appointment of new trustees in certain cases without the necessity for application to the Court, and it has been doubted whether such provision extends to cases where no person has been nominated for the purpose of making such appointment by the instrument creating the trust: And whereas it is expedient that such doubts should be removed: 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. The provisions of the "Trust Property Act of 1862" relating to the appointment of new trustees, and to the vesting of the trust property upon the making of such appointment, shall be deemed to extend to and include cases where there shall have been no person or persons nominated for the purpose of making such appointment in the deed, will, act, or other instrument creating the trust, and all appointments of new trustees heretofore made in such cases, and being in all other respects

Power of appointing new trustees to extend to cases where no person was nominated for that purpose.

Trust Property Act Amendment.

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Vesting of interest of person ceasing to be a trustee.

2. When a new trustee is appointed under the provisions of the said "Trust Property Act of 1862" in place of a person desiring to be discharged, or refusing or becoming unfit or incapable to act, all the right, title, and interest of such person in the trust property shall be deemed to pass under the provisions contained in the said Act for the vesting thereof. This section shall apply to appointments of new trustees made before as well as to those made after the passing of this Act, and whether there shall have been any person or persons nominated for the purpose of making such appointment in the deed, will, act, or other instrument creating the trust or not.

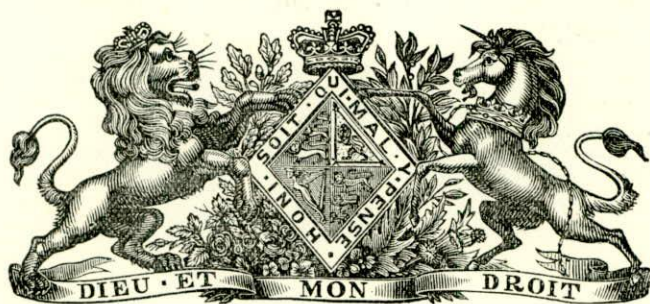
Short title.

3. This Act may be cited as the "Trust Property Act Amendment Act of 1893."

By Authority : CHARLES POTTER, Government Printer, Sydney, 1893.

[3d.]

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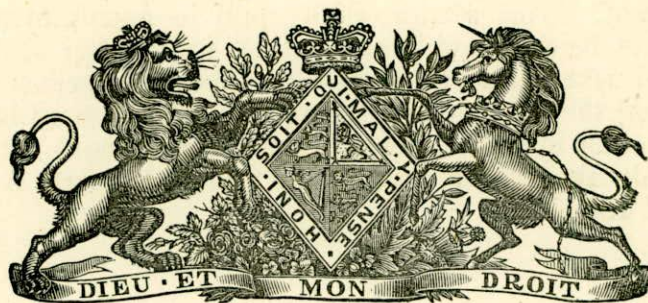
[3d.]

I Certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

*Legislative Assembly Chamber,
Sydney, 9 June, 1893.* }

F. W. WEBB,
Clerk of the Legislative Assembly.

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I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

NINIAN MELVILLE,
Chairman of Committees of the Legislative Assembly.

Trust Property Act Amendment.

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R. W. DUFF.

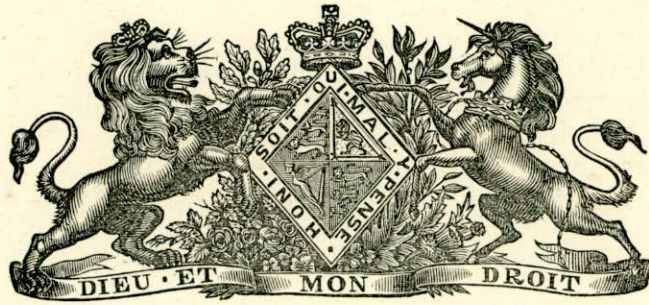
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*Legislative Assembly Chamber,
Sydney, 21 March, 1893.* }

F. W. WEBB,
Clerk of the Legislative Assembly.

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

*Legislative Council Chamber,
Sydney, 11th April, 1893.* }

ADOLPHUS P. CLAPIN,
Acting Clerk of the Parliaments.

New South Wales

TRUST PROPERTY ACT AMENDMENT BILL.

SCHEDULE of Amendments referred to in Message of 11th April, 1893.

Page 1, clause 1, line 12. *After "trustees" insert "and to the vesting of the trust
" property upon the making of such appointment "*
Page 1, clause 1, line 17. *After "cases" insert "and being in all other respects "*
Page 2. *After clause 1 insert new clause 2.*

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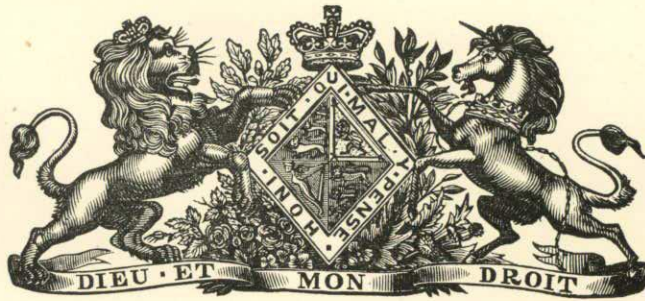
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Trust Property Act Amendment.

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Sydney: Charles Potter, Government Printer.—1893.

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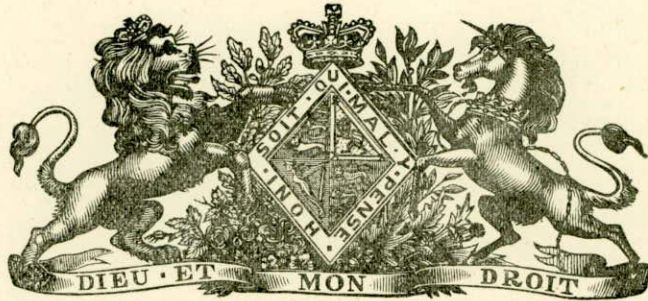
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Main body of faint text, appearing to be several paragraphs of a document or letter.

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the necessity for application to the Court, and it has been doubted
whether such provision extends to cases where no person has been
5 nominated for the purpose of making such appointment by the instru-
ment creating the trust: And whereas it is expedient that such doubts
should be removed: Be it therefore enacted by the Queen's Most
Excellent Majesty, by and with the advice and consent of the Legis-
lative Council and Legislative Assembly of New South Wales in
10 Parliament assembled, and by the authority of the same, as follows:—

1. The provisions of the "Trust Property Act of 1862" relating
to the appointment of new trustees shall be deemed to extend to and
include cases where there shall have been no person or persons
nominated for the purpose of making such appointment in the deed,
15 will, act, or other instrument creating the trust, and all appointments
of new trustees heretofore made in such cases in accordance with the
provisions of the said Act shall be deemed to be and to have been from
the making thereof as valid and effectual to all intents and purposes
as if this Act had been passed before the making of such appointments:
20 Provided that nothing contained in this Act shall invalidate any act or
thing heretofore done which would have been valid if this Act had not
been passed.

Power of appointing
new trustees to
extend to cases
where no person was
nominated for that
purpose.

2. This Act may be cited as the "Trust Property Act Amend- Short title.
ment Act of 1893."

666—

[3d.]

ALFONSO BERNARDI

1870

Il presente lavoro è stato scritto in un periodo di tempo molto breve, e per questo non può essere considerato che come un primo tentativo di esporre i risultati di alcune ricerche fatte in questi ultimi anni. Le idee e le conclusioni qui contenute sono in parte frutto di osservazioni fatte in laboratorio, e in parte di deduzioni fatte sulla base di queste osservazioni. Le osservazioni fatte in laboratorio sono state fatte in un modo molto semplice, e per questo non possono essere considerate che come un primo tentativo di esporre i risultati di alcune ricerche fatte in questi ultimi anni. Le idee e le conclusioni qui contenute sono in parte frutto di osservazioni fatte in laboratorio, e in parte di deduzioni fatte sulla base di queste osservazioni.