

An Act to enable the Trustee of the Will of the late Archibald Thompson to invest the personalty in building upon and improving the Real Estate devised by the said Will.
[7th May, 1880.]

ARCHIBALD
THOMPSON'S TRUST
ESTATE.

WHIEREAS Archibald Thompson late of Sydney in the Colony of Preamble.
New South Wales Esquire duly made and executed his last will and testament bearing date the sixteenth day of October one thousand eight hundred and seventy-eight and thereby appointed Stephen Campbell Brown and Thomas Thompson the Trustees of his said will and devised and bequeathed all his real and personal estate to his said Trustees upon trust to convert his personal estate and to stand possessed thereof upon trust after payment of his debts and legacies to invest the same upon real or Government securities in New South Wales or in the stocks shares or debentures of any public Company except mining Companies and the said testator declared that the said Trustees should stand seized and possessed of his real estate and all such stocks funds and securities as aforesaid upon trust to divide the annual income equally share and share alike to and among his wife Jane Thompson and all his children and the issue of any deceased child or children during their respective lives or until the final distribution of the said estate as therein provided And after the decease of all his children then as to the corpus of his trust estate and all income since the last division of income in trust for the issue of such of his children as should have left issue living at the period of final distribution such issue to take as tenants in common *per stirpes* as therein provided And whereas the said Archibald Thompson died on the twenty-second day of February one thousand eight hundred and seventy-nine leaving him surviving his wife Jane Thompson and eleven children nine of whom are under the age of twenty-one years And whereas probate of the said will was granted to the said Thomas Thompson on the fourth day of April one thousand eight hundred and seventy-nine And whereas the said Stephen Campbell Brown has duly renounced and disclaimed the estates interests and trusts of the said will And whereas the balance of the personal estate of the said testator after payment of debts and legacies now amounts to the sum of four thousand seven hundred pounds or thereabouts And whereas part of the real estate of the said testator consists of a piece of vacant land at Redfern near Sydney aforesaid (which is more particularly described in the schedule hereto) which is suitable for building purposes And whereas it would be beneficial to all parties interested under the said will that part of the said personal estate should be invested in erecting dwelling-houses and buildings on the said piece of land

Merriwa Church and Presbytery Land Sale.

land and in improving and laying out the same but there is no power in the said will for the trustee so to invest the said personal estate And whereas another part of the said real estate consists of a piece of land at Redfern aforesaid adjoining the piece of land hereinbefore mentioned on which is erected a cottage known as Redfern Lodge And whereas it would be beneficial to all parties interested under the said will that part of the said personal estate should be invested in altering and adding to the said cottage so as to obtain a higher rental therefor but there is no power in the said will for the said trustee so to invest the said personal estate 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:—

Power to invest personal estate in building on and improving real estate.

1. It shall be lawful for the said Thomas Thompson or the trustee or trustees for the time being of the said will of the said Archibald Thompson to invest the said personal estate of the said testator or any part thereof in erecting dwelling-houses and buildings on the said piece of vacant land described in the Schedule hereto and in improving and laying out the said piece of land and in altering and adding to the said cottage known as Redfern Lodge.

Moneys to be subject to trust of will.
Short title.

2. All moneys so invested shall be subject to the trusts in the said will declared concerning the said real estate of the said testator.

3. This Act shall be styled and may be cited as "Archibald Thompson's Trust Estate Act."

SCHEDULE.

Description of Land adjoining Redfern Lodge.

All that piece or parcel of land portion of the late Archibald Thompson's land situate in Pitt-street Redfern County of Cumberland Colony of New South Wales commencing at the building-line on the western side of Pitt-street at the south corner of dwarf wall and iron railing in front of Redfern Lodge and bounded on the east by the said side of Pitt-street by a line in a southerly direction one hundred and twenty feet on the south side by a line in a westerly direction one hundred and twenty-three feet six inches on the west side by a line in a northerly direction one hundred and twenty feet and on the north side by a line in an easterly direction along the south wall of Redfern Lodge one hundred and twenty-three feet six inches to the point of commencement.