

An Act to enable the Trustees of the Will of
Henry Isler deceased to sell certain lands
situate at Gladesville on the Parramatta
River near Sydney being part of the real
estate of the said Henry Isler and to invest
the money to arise from such sale for the
benefit of the parties severally interested
in the said real estate under the said Will.
[25th April, 1873.]

ISLER'S ESTATE.

WHEREAS Henry Isler late of Gladesville on the Parramatta Preamble.
River near Sydney deceased by his last will and testament
bearing date the twenty-second day of August one thousand eight
hundred and sixty-three after appointing John Dawson of Sydney
solicitor his wife Jane Isler and his son Henry Isler Trustees and
executors of his said will gave and bequeathed unto them all his
personal estate and property wheresoever the same might be upon
trust as therein mentioned to convert such portion thereof as
should

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should not consist of money or Bank or insurance shares into money and after payment thereout of all his just debts and funeral and testamentary expenses to invest the same in such Government real or other securities as his said Trustees should deem most advisable and during the minority of his children to pay and apply the income derivable from such investments and from such portion of his estate as at the time of his death consisted of Bank or insurance shares towards the maintenance and support of his said wife (so long as she should remain his widow) such part or parts thereof as should be deemed necessary to the support maintenance education and advancement in life of his children in equal shares and proportions and upon arrival at age of the youngest of his said children or such youngest being a female being married with the consent of the guardian of his said children for the time being then upon trust to divide such investments Bank and insurance shares and premises amongst his said wife and children equally the shares of his daughters thereof to be for their sole separate and individual use and benefit and also gave and devised the real estate of which he should die seized of or entitled to unto his said Trustees and their heirs and assigns upon trust during the minority of his said children to pay and apply the rents issues and profits thereof in the same manner and upon and for the like trusts intents and purposes as were by his said will declared with respect to the application of the interests dividends and profits to arise from his personal estate and on the arrival of his youngest of his said children at the age of twenty-one years or being a female being married such consent as aforesaid upon trust to convey his said real estate to his said wife (if she should so long continue his widow) and his said children share and share alike as tenants in common And the said Henry Isler declared that if his said wife should again marry she should forfeit all interest she took under his said will And the said Henry Isler empowered his said Trustees or Trustee at any time during the minority of any of his said children to sell and dispose of any unproductive part of his said real estate and directed that the proceeds derivable therefrom should be invested in like manner as the moneys to arise from the conversion into money of his personal estate were directed to be invested and also empowered his said Trustees to execute all necessary assurances for vesting the land when sold in the purchaser or purchasers thereof And the said Henry Isler authorized his said Trustees to apply the whole or any part of the income of the presumptive share or shares of any child or children of his who being a son or sons should be under the age of twenty-one years or being a daughter or daughters under that age or unmarried towards his her or their maintenance education or advancement in life And whereas the said Henry Isler died on the third day of February one thousand eight hundred and sixty-five without having revoked or altered his said will leaving his wife and five children two of whom to wit Emily Jane Isler and Florence Marie Isler are still infants under the age of twenty-one years him surviving And whereas the residuary estate consists among other particulars of certain freehold land and hereditaments situate at Gladesville aforesaid and more particularly described in the Schedule hereto And whereas the aforesaid land is not unproductive land within the meaning of the before recited will so as to be affected by and subject to the power of sale thereby given over unproductive land And whereas negotiations have taken place and are still pending between the said John Dawson Jane Isler and Henry Isler as such Trustees as aforesaid and the Governor with the advice of the Executive Council with reference to the sale and purchase of the said lands in the Schedule hereto described for the purposes of the Lunatic Asylum at

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at Gladesville aforesaid. And whereas such a sale cannot be carried out without the sanction of an Act enabling the Trustees in that behalf. And whereas it would be advantageous to the interests of all the parties entitled to the said lands that the same should be so sold and the proceeds arising from such sale invested in the manner and upon the trusts in the said will declared with reference to the proceeds arising from the sale of the unproductive land. 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 John Dawson Jane Isler and Trustees to sell and convey. Henry Isler as Trustees of the said will of the said Henry Isler or other the Trustees for the time being of the said will to sell and dispose of the land described in the Schedule hereto either by public auction or private contract and either in one lot or in several lots as they he or she shall think most expedient for such price or prices as they he or she shall consider most advantageous to accept for the same and when sold to do and execute all necessary and proper acts and assurances for vesting the same in the purchaser thereof freed and discharged from the trusts of the said will and the receipts of the said Trustees for the moneys to arise from such sales under the powers hereby conferred shall effectually discharge the persons paying the same thereupon and from seeing to the application thereof or from liability as to the misapplication or non-application thereof.

2. The said John Dawson Jane Isler and Henry Isler or other Moneys to arise from sale to be invested. persons selling under the powers hereby conferred shall with all convenient speed invest the moneys to arise from the sale of the said land (after deducting therefrom all the expenses attendant on such sale) in like manner and upon such trusts for the widow and children of the said Henry Isler as are by the said will declared concerning the proceeds that should arise from the sale of any unproductive part of the real estate of the said Henry Isler in the exercise of the power of sale thereby given in respect thereof.

3. This Act may be cited as "Isler's Estate Act."

Title of Act.

SCHEDULE.

All that parcel of land containing by admeasurement three roods thirteen perches situate in the county of Cumberland parish of Hunter's Hill at Gladesville Commencing on the eastern side of the road from the Old Ferry to Gladesville and Ryde at the south-western corner of Folkard's land and bounded thence on the north-east by the south-western boundary-line of that land bearing south-easterly two chains and eighty links to a road dividing it from part of the Lunatic Asylum grounds on the south-east by that road bearing south-westerly five chains and forty-three links on the south-west by a line bearing north-westerly forty-one links to the first-mentioned road and on the west by that road bearing northerly five chains and fifty-four links to the point of commencement.

Also all that parcel of land containing by admeasurement two acres one rood twenty-three perches situate in the county of Cumberland parish of Hunter's Hill at Gladesville Commencing at the junction of the eastern side of the road from the Old Ferry to Gladesville and Ryde with the southern side of a proclaimed road from Gladesville to Hunter's Hill and bounded thence on the north by the last-mentioned road bearing easterly eight chains and forty links to a road dividing it from part of the Lunatic Asylum grounds on the south-east by that road bearing south-westerly five chains and thirty-six links on the south-west by the north-eastern boundary-line of Folkard's land bearing north-westerly four chains and eleven links to the first-mentioned road and on the west by that road bearing northerly three chains and ninety-nine links to the point of commencement.