

THROSBY'S LEASING
ACT AMENDMENT.**An Act to amend "Throsby's Leasing Act."**
[20th June, 1877.]

Preamble.

WHEREAS by an Act passed in the thirty-ninth year of the reign of Her present Majesty Queen Victoria and intituled "An Act to enable Elizabeth Throsby and certain other persons interested under the will of the late Charles Throsby Esquire to grant building and other leases of certain lands near Moss Vale" after reciting (inter alia) that several allotments of land forming portion of the piece or parcel of land in the Schedule thereto set forth had been from time to time demised by Elizabeth Throsby widow of Charles Throsby of Throsby Park in the county of Camden Colony of New South Wales Esquire deceased and the sons of the said Charles Throsby surviving at the time of such demise respectively to several persons for various terms and for the best yearly rent that could be obtained for the same and that the said several persons had been in possession of the said lands so respectively demised to them as aforesaid for some time and had upon faith of such demises erected houses and other buildings thereon and had otherwise improved the said lands And also reciting that it was just and right that power should also be given to confirm the leases already granted as thereinbefore mentioned and to make good the title of the several lessees in and to the respective premises so demised to them as aforesaid It was enacted that it should be lawful for the said Elizabeth Throsby during her widowhood with the concurrence of the person for the time being then next entitled to a life estate or any greater estate in the said piece or parcel of land and hereditaments mentioned in the said Schedule thereto or during the minority of any such person the guardian of his estate and after the death or marriage of the said Elizabeth Throsby then for such person so next entitled or his guardian to lease either the whole or any part of the said piece or parcel of land and hereditaments subject to the provisions of the said Act And it was further enacted that it should be lawful for the persons aforesaid to confirm any lease or agreement for a lease of any piece or parcel of land forming portion of the said piece or parcel of land and hereditaments in the said Schedule thereto already granted or made by the said Elizabeth Throsby and other persons as thereinbefore recited and thereupon all such leases and agreements should be and remain in force as though they had been granted and made by virtue of the now reciting Act And whereas the lease firstly mentioned in the Schedule hereunder written was signed by William Whaley Billyard as agent for Nicholas Herbert Throsby then resident in England one of the sons of the said testator Charles Throsby And whereas both the said leases referred to in the Schedule hereunder written were in pursuance of the provisions of the said recited Act duly confirmed by the said Elizabeth Throsby and the person next entitled to a life or any greater estate in the lands comprised in the Schedule to the said Act And whereas after the passing of the said Act it appeared that the said leases were not signed by the whole of the sons of the late Charles Throsby deceased surviving at the time of the granting of the same And whereas the said leases have since been confirmed by the said Nicholas Herbert Throsby and Archer Broughton Throsby the sons of the said Charles Throsby deceased who had not previously signed the same And whereas the said leases and the respective terms thereby granted have since the passing of the said recited Act been assigned to John Cullen of Moss Vale in the county of Camden aforesaid inn-keeper And whereas since such confirmations as aforesaid doubts have arisen as to the validity of the said leases and assignment thereof by reason

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reason of the said leases not having been executed by the whole of the sons of the said Charles Throsby deceased at the time of the granting of the same. And whereas it is expedient to remove any such doubts and to declare the said leases and assignment to be valid in law and in equity. 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. That the said leases and assignment shall be deemed and Lenses under Act valid. taken to be valid both at law and in equity.

2. This Act may be cited as the "Throsby's Leasing Act Short title. Amendment Act" and shall be read with and as forming part of the "Throsby's Leasing Act."

SCHEDEULE.

Indenture of lease.	Date.	Parties of one part or lessors.	Party of other part or lessee.	Term.	Yearly rental.	Description of demised premises.
	18 July 1867.	Elizabeth Throsby Oliver Spencer Throsby Patrick Hill Throsby Archer Broughton Throsby and Nicholas Herbert Throsby by William Whaley Billyard.	Martin Larkin	99 years	£ 20	All that piece or parcel of land containing one acre nine perches more or less having a frontage to the Old Argyle Road of two chains northwest further extending in a south-easterly direction to a reserved road of five chains and twenty-nine links bounded on the north side by allotment number seven and on the south by allotment number five.
" ..	1 July 1874.	Elizabeth Throsby Oliver Spencer Throsby Patrick Hill Throsby Nicholas Herbert Throsby Oliver Spencer Throsby & William Whaley Billyard.	" ..	99 years from 18 July 1867.	8	All that piece or parcel of land containing one acre fourteen perches more or less having a frontage to the Old Argyle Road of two chains and six links or thereabouts northwest further extending in a south-easterly direction to a reserved road of five chains and twenty-nine links bounded on the north side by allotment number eight and on the south by allotment number six and which parcel of land is more particularly delineated in the plan to the said lease annexed and is thereon denoted by a pink border.