

SALES BY TRUSTEES CON-
FIRMATION ACT.

Act No. 40, 1916.

George V. An Act to confirm certain sales, exchanges, parti-
No. 40. tions, enfranchisements, and contracts by
trustees and others. [Assented to, 19th Sep-
tember, 1914.]

Preamble. **W**HEREAS trustees and others in the intended
exercise of trusts or powers authorising them to
dispose of land by sale, exchange, partition, or enfran-
chisement have disposed of land, subject to such trusts
or powers with an exception or reservation of minerals,
and

and either with or without rights and powers for or incidental to the working, getting, and carrying away of such minerals or otherwise relating thereto, or have so disposed of minerals with or without such rights and powers separately from the residue of the land, such mode of disposition not being expressly authorised nor forbidden by the instrument creating the trust or power: And whereas it is expedient to confirm such dispositions as aforesaid. Be it therefore enacted by the King'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. This Act may be cited as the "Sales by Trustees Confirmation Act, 1916." Short title.

2. No sale, exchange, partition, enfranchisement, or contract for sale at any time heretofore of land by any trustee or other person expressed or intended to be made in exercise of any trust or power authorising the sale, exchange, partition, or enfranchisement of land, and not forbidding the reservation of minerals, and which sale, exchange, partition, enfranchisement, or contract shall have been made with an exception or reservation of minerals, and with or without rights or powers for or incidental to the working, getting, and carrying away of such minerals or otherwise relating thereto shall be invalid on the ground only that the trust or power did not expressly authorise such exception or reservation, but such sale, exchange, partition, enfranchisement, or contract shall be deemed to have taken effect in the same manner as if the exception or reservation had been authorised by the trust or power; and no sale, exchange, partition, or contract for sale heretofore made as aforesaid of any minerals separately from the residue of the land subject to the trust or power intended to have been exercised, and either with or without such rights or powers as aforesaid, shall be invalid on the ground only that the trust or power did not expressly authorise such sale, exchange, or partition, but such sale, exchange, partition, or contract shall be deemed to have taken effect in the same manner as if such mineral rights and powers (if any) had been expressly authorised to be so dealt with separately from the residue of such land; but this enactment

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Confirmation
of certain
sales, &c.
25 and 26
Vic., c. 108,
s. 1.

**Testator's Family Maintenance and Guardianship of
Infants Act.**

George V, enactment shall not be deemed to confirm any sale,
No. 40. exchange, partition, enfranchisement, or contract for
sale already declared by a court of competent juris-
diction to be invalid, nor to confirm or affect any sale,
exchange, partition, enfranchisement, or contract for
sale as to the validity of which any suit or other pro-
ceeding is now pending.
