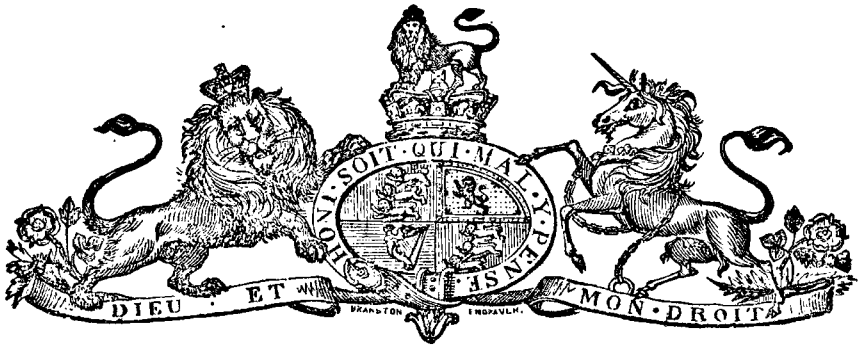


ANNO UNDECIMO & DUODECIMO

VICTORIÆ REGINÆ.

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CAP. LXXXVII.

An Act to extend the Provisions of an Act passed in the First Year of His late Majesty King *William* the Fourth, intituled *An Act for consolidating and amending the Laws for facilitating the Payment of Debts out of Real Estate.*

[31st *August* 1848.]

WHEREAS by an Act passed in the First Year of the Reign of His late Majesty King *William* the Fourth, intituled *An Act for consolidating and amending the Laws for facilitating the Payment of Debts out of Real Estate*, it was (amongst other things) enacted, that where any Lands, Tenements, or Hereditaments had been or should be devised in Settlement by any Person or Persons whose Estate under the said Act now in recital, or by Law, or by his or their Will or Wills, should be liable to the Payment of any of his or their Debts, and by such Devise should be vested in any Person or Persons for Life or other limited Interest, with any Remainder, Limitation, or Gift over which might not be vested, or might be vested in some Person or Persons from whom a Conveyance or other Assurance of the same could not be obtained, or by way of Executory Devise, and a Decree should be made for the Sale thereof for the Payment of such Debts or any of them, it should be lawful 11 G. 4. & 1 W. 4. c. 47.

for the Court by whom such Decree should be made to direct any such Tenant for Life, or other Person having a limited Interest, or the First Executory Devisee thereof, to convey, release, assign, surrender, or otherwise assure the Fee Simple or other the whole Interest or Interests so to be sold to the Purchaser or Purchasers, or in such Manner as the said Court should think proper; and every such Conveyance, Release, Surrender, Assignment, or other Assurance should be as effectual as if the Person who should make and execute the same were seised or possessed of the Fee Simple or other whole Estate so to be sold: And whereas the herein-before recited Provision of the said Act does not extend to the Case of Lands, Tenements, or Hereditaments of a deceased Debtor which are by Descent or otherwise than by Devise vested in the Heir or Co-heirs of such Debtor, subject to an Executory Devise over in favour of a Person or Persons not existing or not ascertained, and it is expedient that the said Provision of the said Act should be extended to such Case: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, in Cases in other respects falling within the said herein-before recited Provision of the said Act, That the said herein-before recited Provision of the said Act shall extend and is hereby extended to any Case in which any Lands, Tenements, or Hereditaments of any deceased Person shall by Descent or otherwise than by Devise be vested in the Heir or Co-heirs of such Person, subject to an Executory Devise over in favour of a Person or Persons not existing or not ascertained; and in any such Case it shall be lawful for the Court mentioned in the said recited Provision to direct such Heir or Co-heirs notwithstanding such Heir or such Co-heirs, or any of them, may be an Infant or Infants, to convey, release, assign, surrender, or otherwise assure the Fee Simple or other the whole Interest or Interests so to be sold to the Purchaser or Purchasers, or in such Manner as the said Court shall think proper; and every such Conveyance, Release, Surrender, Assignment, or other Assurance shall be as effectual as if the Heir or Co-heirs who shall make and execute the same was or were seised or possessed of the Fee Simple or other whole Estate so to be sold, and, if an Infant or Infants, was or were of full Age.

Recited Provision to extend to Lands, &c. of a deceased Debtor, in certain Cases.

II. And be it enacted, That this Act may be amended or repealed by any Act to be passed during this present Session of Parliament.

Act may be amended, &c.

LONDON: Printed by GEORGE E. EYRE and WILLIAM SPOTTISWOODE, Printers to the Queen's most Excellent Majesty. 1848.