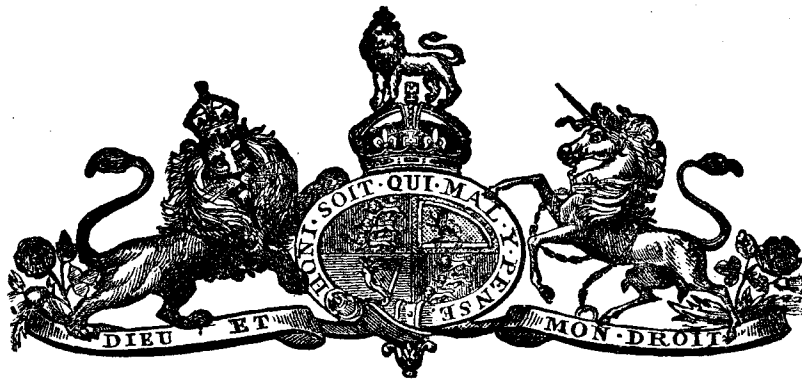


T A S M A N I A.



1905.

ANNO QUINTO

EDWARDI VII. REGIS,

No. 19.



AN ACT to enable the Trustees for the time being of the *Devon* Hospital to effect a Compromise with the Trustees of the Will of the late *Henry John Wilson*, and to indemnify them for so doing. A.D. 1905.

[1 *November*, 1905.]

WHEREAS *Henry John Wilson*, late of *Woodcote, Northdown*, in *Tasmania* (hereinafter referred to as "the Testator"), duly made and executed his last Will and Testament bearing date the Nineteenth day of *November*, One thousand nine hundred and three, and appointed The *Tasmanian* Permanent Executors and Trustees Association, Limited, to be Executors and Trustees thereof, and by his said Will, after certain specific bequests (which are not material to be herein set forth), devised and bequeathed all his real and personal estate whatsoever and wheresoever unto his said Trustees upon trust, that his said Trustees should sell, call in, and convert into money such part as should not consist of money, and out of the moneys produced by such sale, calling in, and conversion, and with and out of his ready money, should pay his funeral and testamentary expenses and debts and the

PREAMBLE.

4d.]

Devon Hospital Compromise Enabling.

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legacies bequeathed by his said Will, and should pay the residue of the said moneys to the Trustees for the time being of the *Devon Hospital*, to be used by them to found, provide, maintain, and support a bed in that institution, to be called and known as the "*H. J. Wilson Cot*," and declared that the receipts of the Honorary Manager and of the Treasurer for the time being of the said institution should be a sufficient discharge to his Trustees for the said residue :

And whereas the Testator duly made and executed a Codicil to his said Will dated the Fifteenth day of *March*, One thousand nine hundred and four, whereby he revoked the devise of his real estate of *Larooma*, situate near *Port Sorell*, and devised the same to his Son *Lisle Reynardson Wilson* absolutely :

And whereas the Testator died on the Fourth day of *October*, One thousand nine hundred and four, at *Northdown*, in *Tasmania*, without having altered or revoked his said Will save as appears by his said Codicil :

And whereas the Testator left him surviving his Widow, *Louisa Sophia Wilson*, and four children :

And whereas the Testator did not make any provision for his said Widow, the said *Louisa Sophia Wilson*, but left her without sufficient means of support :

And whereas the Trustees for the time being of the *Devon Hospital* are *Patrick Churcher Maxwell*, Police Magistrate, *William Lovitt Wells*, Storekeeper, and *Frederick Cecil Greene*, Esquire, all of *Latrobe*, in *Tasmania* :

And whereas at a meeting of the subscribers to the said Hospital, held at *Latrobe* aforesaid, on the Third day of *November*, One thousand nine hundred and four, a resolution was passed directing the Trustees to decline to accept the bequest provided a Bill was carried this Parliament indemnifying the Trustees against all risks in declining the bequest :

And whereas the said Trustees for the time being of the said Hospital have declined to obey the said resolution, but have agreed to renounce the said legacy and to forego the benefit of the same upon the said Trustee Association paying to them the sum of Three hundred Pounds towards the foundation and support of the said bed and upon the indemnity hereinafter continued :

And whereas it is expedient that the said *Patrick Churcher Maxwell*, *William Levitt Wells*, and *Frederick Cecil Greene*, as such Trustees as aforesaid, should be indemnified for their action in accepting the said sum of Three hundred Pounds in lieu of the said legacy :

Be it therefore enacted by His Excellency the Governor of *Tasmania*, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows :—

Power to Trustees
to compromise.

1 It shall be lawful for the said *Patrick Churcher Maxwell*, *William Levitt Wells*, and *Frederick Cecil Greene*, or the survivor of them, or the executors or administrators of such survivor or other the Trustees or Trustee for the time being of the *Devon Hospital*, at their or his discretion, to accept the sum of Three hundred Pounds in lieu of and

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in satisfaction for a certain legacy comprising the residue of the estate of the late *Henry John Wilson*, and to give a full and complete discharge to the *Tasmanian Permanent Executors and Trustees Association, Limited*, for the said legacy. A.D. 1905.

2 The said *Patrick Churcher Maxwell*, *William Levitt Wells*, and *Frederick Cecil Greene* shall be and they each of them are hereby indemnified from all actions, suits, claims, and demands whatsoever by and on behalf of any of the subscribers to the said the *Devon Hospital*, or any other person or persons having any claim against them for anything done or purported to be or omitted to be done in carrying out the said compromise in receiving the said sum of Three hundred Pounds in satisfaction for the said legacy of the residue of the estate of the said *Henry John Wilson* deceased. Indemnification of Trustees.

3 On the payment of the said sum of Three hundred Pounds by the said *The Tasmanian Permanent Executors and Trustees Association, Limited*, the receipt in writing of the said *Patrick Churcher Maxwell*, *William Levitt Wells*, and *Frederick Cecil Greene*, or the Trustee or Trustees for the time being of the said the *Devon Hospital*, shall be a good and sufficient discharge to *The Tasmanian Permanent Executors and Trustees Association, Limited*, who shall not be bound or required to see to the misapplication or non-application thereof. Trustees receipts to be good discharges.

4 This Act may be cited as "The *Devon Hospital Compromise Enabling Act*." Short title.

