

New Zealand.



ANALYSIS.

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3. Such renunciation and release to be by deed-poll, under seal.

1902, No. 1.—*Local.*

AN ACT to empower the University of Otago and Others to renounce a Legacy bequeathed by the Will of the late Dr. Frederick Jeffcoat, of Dunedin, deceased. Title.

[13th September, 1902.]

WHEREAS the late Frederick Jeffcoat, of Dunedin, in the Colony of New Zealand, medical practitioner, made a will, dated the tenth day of January, one thousand eight hundred and eighty-three, whereby, after making certain specific gifts, the testator directed that upon the death of his mother his trustees should sell and convert into money all his estate, both real and personal, not by his said will otherwise disposed of, and thereout should, *inter alia*, invest the sum of one thousand pounds upon first mortgage of real estate, and should pay the income arising thereout to the Chancellor, Vice-Chancellor, Professor of Physiology, and Professor of Pathology for the time being of the University of Otago, to the intent that the said income should be a scholarship or bursary to be competed for by students of medicine attending the said University, subject to such regulations and conditions as the said Chancellor, Vice-Chancellor, Professor of Physiology, and Professor of Pathology should think fit; and in a subsequent part of the said will the said testator speaks of the said sum of one thousand pounds as a legacy to the University of Otago: And whereas the said Frederick Jeffcoat died on or about the thirtieth day of August, one thousand eight hundred and ninety-seven, leaving a widow and one child, who are still alive: And whereas a memorandum in the handwriting of the said Frederick Jeffcoat was subscribed to the said will, dated the seventeenth day of January, one thousand eight hundred and ninety, whereby he purported to revoke and annul each and every article or behest of his said will, but, as the said memorandum was not attested in the manner required by law, it was in law ineffective for the purpose of revoking the said will: And whereas the said will was proved in the Supreme Court of New Preamble.

Zealand at Dunedin by, and probate thereof, dated the twenty-first day of September, one thousand eight hundred and ninety-seven, granted to, the testator's widow and one William Deans Milne, as the executors named in the said will: And whereas it is alleged that the means and estate of the said Frederick Jeffcoat at the time of the purported revocation of his said will and at the time of his death were much less than at the date of his said will, and the payment of the said legacy to the University of Otago out of his means and estate would impose hardship on his widow and child: And whereas in the foregoing circumstances it is expedient to empower the University of Otago and the other persons hereinafter mentioned to renounce the said legacy and all rights and interest in respect thereof:

BE IT THEREFORE ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:—

Short Title.

1. The Short Title of this Act is "The University of Otago Empowering Act, 1902."

University of Otago, &c., empowered to renounce and release legacy.

2. The University of Otago, and the persons for the time being acting as or being respectively the Chancellor, the Vice-Chancellor, the Professor of Physiology, and the Professor of Pathology of the said University, are hereby empowered, if they shall think fit so to do, to renounce and release the said legacy of one thousand pounds, and all interest in respect thereof, and all claims and demands on account thereof.

Such renunciation and release to be by deed-poll, under seal.

3. Such renunciation and release shall be by a deed-poll expressed to be made under the powers conferred by this Act, and sealed by the Council of the said University with the common seal of the said University, and signed by the persons mentioned in section two hereof, and when so made shall effectually and for all purposes bar all claims and demands on account of the said legacy of one thousand pounds, and all interest in respect thereof and income therefrom competent to the said University, and the Chancellors, the Vice-Chancellors, the Professors of Physiology, and the Professors of Pathology of the said University, or any of them, or any student of medicine attending the said University.