

found, it shall be lawful for the said Court to make an order disposing of the contingent right of the person out of the jurisdiction, or who cannot be found, to the person or persons so jointly entitled, as aforesaid, or to such last mentioned person or persons, together with any other person or persons; and the order shall have the same effect as if the Trustee out of the jurisdiction, or who cannot be found, had duly executed a conveyance so releasing or disposing of the contingent right.

**XXVII.** That when there shall have been two or more persons, jointly seized or possessed of any lands upon any trust, and it shall be uncertain which of such Trustees was the survivor, it shall be lawful for the Court of Chancery to make an order vesting such lands in such persons or persons in such manner and for such estate as the said Court shall direct; and the order shall have the same effect as if the survivor of such Trustee had duly executed a conveyance or assignment of the lands in the same manner for the same estate.

**XXVIII.** That where any one or more person or persons shall have been seized or possessed of any lands upon any trust, and it shall not be known as to the Trustee last known to have been seized or possessed, whether he be living or dead, it shall be lawful for the Court of Chancery to make an order vesting such lands in such person or persons, in such manner, and for such estate, as the said Court shall direct; and the order shall have the same effect as if the last Trustee had duly executed a conveyance or assignment of the lands in the same manner for the same estate.

**XXIX.** That when any person, seized of any lands upon any trust, shall have died intestate as to such lands, without an heir, or shall have died, and it shall not be known who is heir or devisee, it shall be lawful for the Court of Chancery to make an order vesting such lands in such person or persons, in such manner and for such estate, as the said Court shall direct; and the order shall have the same effect as if the heir or devisee of such Trustee had duly executed a conveyance of the lands in the same manner for the same estate.

**XXX.** That when any lands are subject to a contingent right in an unborn person, or class of unborn persons, who, upon coming into existence, would in respect thereof become seized or possessed of such lands upon any trust, it shall be lawful for the Court of Chancery to make an order which shall wholly release and discharge such lands from such contingent right in such unborn person, or class of unborn persons, or to make an order which shall vest in any person or persons the estate or estates which such unborn person, or class of unborn persons, would, upon coming into existence, be seized or possessed in such lands.

**XXXI.** That where any person, jointly or solely seized or possessed of any lands upon any trust, shall, after a demand by a person entitled to require a conveyance or assignment of such lands as a duly authorized agent of such last mentioned person, have stated in writing that he will not convey or assign the same, or shall neglect or refuse to convey or assign such lands for the space of twenty-eight days next after a proper deed for conveying or assigning the same shall have been tendered to him

by any person entitled to require the same, or by a duly authorized agent of such last mentioned person, it shall be lawful for the Court of Chancery to make an order vesting such lands in such person or persons in such manner and for such estate as the said Court shall direct, and the order shall have the same effect as if the Trustee had duly executed a conveyance or assignment of the lands in the same manner for the same estate.

**XXXII.** That when any person jointly or solely entitled to a contingent right in any lands upon any trust shall, after a demand for a conveyance or release of such contingent right by a person entitled to require the same, or a duly authorized agent of such last mentioned person, have stated in writing that he will not convey or release such contingent right, or shall neglect or refuse to convey or release such contingent right, for the space of twenty-eight days next after a proper deed for conveying or releasing the same shall have been tendered to him by any person entitled to require the same, or by a duly authorized agent of such last mentioned person, it shall be lawful for the Court of Chancery to make an order releasing and disposing of such contingent right in such manner as it shall direct; and the order shall have the same effect as if the Trustees so neglecting or refusing had duly executed a conveyance so releasing or disposing of the contingent right.

**XXXIII.** That when any person to whom any lands have been conveyed by way of mortgage shall have died without having entered into the possession or into the receipt of the rents and profits thereof, and the money due in respect of such mortgage shall have been paid to a person entitled to receive the same, or such last mentioned person shall consent to an order for the reconveyance of such lands, then in any of the following cases it shall be lawful for the Court of Chancery to make an order vesting such lands in such person or persons in such manner and for such estate as the said Court shall direct, that is to say :

When an heir or devisee of such mortgage shall be out of the jurisdiction of the Court of Chancery or cannot be found : When an heir or devisee of such mortgage shall, upon a demand by a person entitled to require a conveyance of such lands, or by a duly authorized agent of such last mentioned person have stated in writing that he will not convey the same, or shall not convey the same for the space of twenty-eight days next after a proper deed for conveying such lands shall have been tendered to him by a person entitled as aforesaid, or a duly authorized agent of such last mentioned person : When it shall be uncertain which of several devisees of such mortgagor was the survivor : When it shall be uncertain as to the survivor of several devisees of such mortgagor, or as to the heir of such mortgagor, whether he be living or dead : When such mortgagor shall have died intestate as to such lands and without an heir, or shall have died and it shall not be known who is heir or devisee. And the order of the said Court of Chancery, made in any one of the foregoing cases shall have the same effect as if the heir or devisee, or surviving devisee, as the case may be, had duly executed a conveyance or assignment of the lands in the same manner and for the same estate.