

shall have been given, it shall not be lawful for any joint stock or other company or association whatever, or any person having received such notice, to act upon the requisition of the person in whose place an appointment shall have been made in any matter whatever relating to the transfer of such stock or the payments of the dividends or produce thereof.

XL. That when any order shall have been made under the provisions of this Act, either by the Chancellor or by the Court of Chancery, vesting the legal right to sue for or recover any chose in action or any interest in respect thereof in any person or persons, such legal right shall vest accordingly, and thereupon it shall be lawful for the person or persons so appointed to carry on, commence and prosecute, in his or their own name or names, any action, suit or other proceedings at Law or in Equity for the recovery of such chose in action in the same manner, in all respects, as the person in whose place an appointment shall have been made could have sued for or recovered such chose in action.

XLI. That whensoever under any of the provisions of this Act an order shall be made either by the Chancellor or the Court of Chancery, vesting any copyhold lands in any person or persons, and such order shall be made with the consent of the Lord or Lady of the manor whereof such lands are holden, then the lands shall, without any surrender or admittance in respect thereof, vest accordingly; and whenever under any of the provisions of this Act an order shall be made either by the Chancellor or the Court of Chancery appointing any person or persons to convey or assign any copyhold lands, it shall be lawful for such person or persons to do all acts and execute all instruments for the purpose of completing the assurance of such lands; and all such acts and instruments so done and executed shall have the same effect; and every Lord or Lady of a manor, and every other person, shall, subject to the customs of the manor, and the usual payments, be equally bound and compellable to make admittance to such lands, and to do all other acts for the purpose of completing the assurance thereof, as if the person in whose place an appointment shall have been made, being free from any disability, had duly done and executed such acts and instruments.

XLII. That when any decree shall have been made by any Court of Equity directing the sale of any lands for the payment of the debts of a deceased person, every person seized or possessed of such lands, or entitled to a contingent right therein, as heir, or under the will of such deceased debtor, shall be deemed to be so seized or possessed or entitled, as the case may be, upon a trust within the meaning of this Act; and the Court of Chancery is hereby empowered to make an order wholly discharging the contingent right under the will of such deceased debtor of any unborn person.

XLIII. That when any decree shall be made by any Court of Equity for the specific performance of a contract concerning any lands, or for the partition or exchange of any lands, or generally when any decree shall be made for the conveyance or assignment of any lands either in cases arising out of the doctrine of election or otherwise, it shall be lawful for the said Court to declare that any of the parties to the said suit wherein such decree is made, are trustees of such land, or any part thereof, within the meaning of this Act, or to declare concerning the interests of unborn persons who might claim under any party to the said suit or under the will or voluntary settlement of any person, deceased, who was, during his lifetime, a party to the contract or transactions concerning which such decree is made, that such interests of unborn persons are the interests of persons, who upon coming into existence, would be trustees within the meaning of this Act, and thereupon it shall be lawful for the said Chancellor, or the Court of Chancery, as the case may be, to make such order or orders as to the estates, rights and interests of such persons, born or unborn, as the said Court or the said Chancellor might, under the provisions of this Act, make concerning the estates and interests of trustees, born or unborn.

XLIV. That it shall be lawful for the Chancellor or the Court of Chancery to make declarations and give directions concerning the manner in which the right to any stock or chose in action vested under the provisions of this Act, shall be exercised, and thereupon the person or persons in whom such right shall be vested, shall be compellable to obey such directions and declarations by the same process as that by which other orders, under this Act, are enforced.

XLV. That whenever it shall be expedient to appoint a new trustee or new trustees, and it shall be found inexpedient, difficult or impracticable so to do without the assistance of the Court of Chancery it shall be lawful for the said Court of Chancery, to make an order appointing a new trustee or new trustees, either in substitution for, or in addition to, any existing trustee or trustees.

XLVI. That the person or persons who, upon the making of such order as last aforesaid, shall be trustee or trustees, shall have all the same rights and powers as he or they would have had if appointed by decree in a suit duly instituted.

XLVII. That it shall be lawful for the said Court of Chancery, upon making any order for appointing a new trustee or new trustees, either by the same or any subsequent order, to direct that any lands, subject to the trust, shall vest in the person or persons who, upon the appointment, shall be the trustee or trustees for such estate as the Court shall direct, and such order shall have the same effect as if the person or persons who, before such order, were the trustee or trustees (if any) had duly executed all proper conveyances and assignments of such lands for such estate.

XLVIII. That it shall be lawful for the said Court of Chancery, upon making any order for appointing a new trustee or new trustees, either by the same or by any subsequent order, to vest the right to call for a transfer of any stock, subject to the trust, or to receive the dividends or income thereof, or to sue for or recover any chose in action, subject to the trust or any interest in respect thereof in the person or persons who, upon the appointment, shall be the trustee or trustees.

XLIX. That any such appointment by the Court of new trustees, and any such conveyance, assignment or transfer as aforesaid, shall operate no further or otherwise as a discharge to any former or continuing trustee than an appointment of new trustees under any power for that purpose contained in any instrument would have done.

L. That an order, under any of the hereinbefore contained provisions for the appointment of a new trustee or trustees, or concerning any lands, stock or chose in action, subject to a trust, may be made upon the application of any person beneficially interested in such lands, stock or chose in action whether under disability or not, or upon the application of any person duly appointed as a trustee thereof, and that an order, under any of the provisions hereinbefore contained concerning any lands, stock or chose in action, subject to a mortgage, may be made on the application of any person beneficially interested in the equity of redemption, whether under disability or not, or of any person interested in the moneys secured by such mortgage.

LI. That when any person shall deem himself entitled to an order under any of the provisions hereinbefore contained, either from the Chancellor or from the Court of Chancery, it shall be lawful for him to exhibit, before any one of the masters of the Court of Chancery, a statement of the facts whereon such order is sought to be obtained, and adduce evidence in support thereof, and if such evidence shall be satisfactory to the said master, he shall, at the request of the person adducing such evidence, give a certificate, under his hand, of the several material facts found by him to be true, and of his opinion that such person is entitled to an order in the form set forth in such certificate.

LII. That any person, who shall have obtained such certificate, may apply, by motion to the Court of Chancery, or to the Chancellor, for an order to the effect set forth in such certificate, or for such other order as such person may deem himself entitled to upon the facts found by the master.