

The Law reports, Chancery appeal cases Volume 4; including bankruptcy and lunacy cases, before the Lord Chancellor, and the Court of Appeal in Chancery

Great Britain. Court of Chancery



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This historic book may have numerous typos and missing text. Purchasers can download a free scanned copy of the original book (without typos) from the publisher. Not indexed. Not illustrated. 1869 Excerpt: ...to produce to the Plaintiff and his solicitor, the indenture of resettlement, and the other deeds relating to the settled estates, and, if necessary, might be ordered to set forth a full, true, and correct description of the settled property, and to deposit the deeds in Court for convenience of inspection. By the interrogatories filed for the examination of the Defendant in answer to the bill he was required to set forth the contents of the deed of resettlement, and the particulars of the estates subject to its uses. He was also interrogated as to documents in his possession. The Defendant, by his answer, did not set out the contents of the deed of resettlement any further than by saying that he was first tenant for life under it, and he declined to state what estates were subject to its uses, or what was the nature of the Plaintiffs interest therein. He further stated that the estates comprised in the resettlement had been mortgaged under powers contained in it, and that the mortgage securities now belonged to the executors of the mortgagee, and that the Defendant had no access to them. In the 15th paragraph, he also stated that some of the title deeds were in possession of his London solicitors, Messrs. Coohson, Wainewrighi, & Co., who held them on behalf of the mortgagees, and the others in the possession of the Defendant's Irish solicitor, who held the same on the behalf of the mortgagees; and that the Defendant had no control over them, or access thereto. In the 16th paragraph he said that there had lately been in the custody of his solicitors divers documents which purported to be copies, abstracts, or extracts of or from the indentures and muniments of title mentioned in the Plaintiff's bill; that such documents were the Defendant's own absolute ...



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