

C A P . L X V I I .

An Act to authorize the sale of certain Lands described as Lots numbers Five and Six in Division A of the Township of Guelph, and the re-investment of the proceeds for the objects of the Trust.

[Assented to 18th December, 1854.]

WHEREAS the Lands described in the Deed of Conveyance set forth in the Schedule marked Schedule A to this Act annexed, as Lots numbers Five and Six, in division A of the Township of Guelph, were heretofore by virtue of such Deed of Conveyance vested in the names of the Reverend Arthur Palmer and of George John Grange and Adam Johnston Fergusson, Esquires, upon the Trusts in the said Deed of Conveyance contained, but none of the said Trustees have acted or intend or desire to act in that capacity ; And whereas it would be highly advantageous for all parties interested in the said Trust if the said Lands should be sold and the proceeds of the sale thereof re-invested for the objects of the said Trust : Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, *An Act to re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, as follows :

I. The said Lands with the appurtenances, being the Lands described in the said Deed of Conveyance as Lots numbers Five and Six in division A of the said Township of Guelph as aforesaid, are hereby vested in fee simple in William Hewat and Alfred Alexander Baker, both of the Town of Guelph, Esquires, as joint tenants and not as tenants in common, upon Trust, from time to time, and in such manner by public sale or sales, or by private contract or contracts as to them or the survivor of them, or the heirs of such survivor, may seem best, to alienate, sell, and convey by all necessary deeds and instruments, the whole or any part of the said Lands with the appurtenances, and to re-invest the proceeds of such sale or sales when received, in such securities, public, municipal or private, as to them or the survivor of them, or the heirs of such survivor, may seem best, to be held and applied to and for the objects and purposes of the Trusts contained in the said Deed of Conveyance set forth in the said Schedule marked Schedule A to this Act annexed as aforesaid.

II. The receipt or receipts of the said Trustees appointed by this Act or the survivor of them, or the heirs of such survivor, shall be a sufficient discharge to any party or parties for any moneys

Preamble.

Recital.

Lands aforesaid vested in Trustees, with power to sell and invest proceeds for Trust purposes.

Receipts of Trustees to be sufficient.

moneys to be paid by such party or parties in execution of such Trust, and such party or parties shall not be held liable to see to the application of such moneys or be responsible for the mis-application or non-application thereof.

Public Act.

III. This Act shall be a Public Act.

SCHEDULE A.

Know all Men by these presents, that I, George Sylvester Tiffany, of the City of Hamilton in the District of Gore and Province of Canada, Esquire, of the first part, in consideration of an arrangement made with respect to the disposition of certain Lands belonging or at one time belonging to the estate of the late Henry Strange, of Guelph, Esquire, deceased, do, by these presents, for the farther consideration of the sum of five shillings of lawful money of Canada, to me in hand paid at or before the sealing and delivery hereof, the receipt whereof I do hereby acknowledge, grant, release, convey and quit claim unto the Reverend Arthur Palmer, of the Town of Guelph, in the District of Wellington, Rector, George John Grange, of the same place, Esquire, and Adam Johnston Fergusson, of the same place, Esquire, and the survivor of them and his heirs, as joint tenants, the following described Lands and premises, that is to say: Lots numbers Five and Six in Division A of the Township of Guelph aforesaid, containing Fifty acres, be the same more or less, together with the hereditaments and appurtenances thereto belonging: To Have and to Hold the same to the said party of the second part and the survivor of them, and his heirs as joint tenants, upon Trust and confidence nevertheless to receive the rents of the same, and yearly and every year to apply said rents to the use and benefit of and at the direction of Clara Piggott Powell, wife of William Dummer Powell, of Guelph aforesaid, Esquire, during her natural life, and at and after her demise then to convey the fee simple in said Land to such of her children as may survive her, as tenants in common: and in case the said husband of the said Clara Piggott Powell, the said William Dummer Powell should survive his said wife and have no children the issue of them, the said Clara Piggott Powell and William Dummer Powell, at the time of the decease of the said Clara Piggott Powell, then in trust, that the said party of the second part shall hold the same to the use and benefit of the said William Dummer Powell, and his heirs and assigns, and to be conveyed to and assured to him, his heirs and assigns in fee simple: and Eliza Ann Tiffany, the wife of the said George Sylvester Tiffany, in consideration of Five Shillings to her in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, doth by these presents remit, release and convey to the said party of the second part, all her right and title to Dower in the said Lands and Premises.

In witness whereof the said George Sylvester Tiffany and Eliza Ann Tiffany have hereunto set their hands and seals, this twenty-third day of August, in the year of our Lord, One thousand eight hundred and forty-seven.

(Signed), GEO. S. TIFFANY. (L. S.)

(Signed), E. A. TIFFANY. (L. S.)

Signed, sealed and delivered }
in presence of }

Signed, JAMES GEDDES.