

Laws of Her Majesty's Province of United Canada, passed in the year 1854. Quebec: Stewart Derbyshire and George Desbarts, 1854.

18 Victoria – Chapter 66

An Act to enable the Reverend William Ritchie to sell and convey, or to demise, certain Lands held by him in trust. Assented in 18th December, 1854.

Whereas before the intermarriage of Charles Sibbald, then of the Township of Georgina, in the Province of Upper Canada, Gentleman, and now of the Township of Whitchurch, in the County of York, in Upper Canada, with Isabella Robinson, then of the Township of East Gwillimbury, in Upper Canada, a certain lot of land, being lot number thirty-five in the second Concession of the Township of Whitchurch aforesaid, containing one hundred and ninety acres, more or less, and then being the property of the said Isabella Robinson, was, by Indenture made on the eighteenth day of December, in the year of our Lord one thousand eight hundred and thirty-nine, conveyed by the said Isabella Robinson in fee to Thomas Henderson, late of the Township of East Gwillimbury, Esquire, now deceased, and to the Reverend William Ritchie, of the said Township of Whitchurch, upon certain trusts, for the use and benefit of the said Charles Sibbald and Isabella his said intended wife and of the survivor of them, and after their decease for the benefit of the child or children of the said intended marriage, in such manner as by the said Indenture was settled and appointed; And whereas in the Deed of Settlement aforesaid, no provision was made for enabling the Trustees under any circumstances to alienate the said land or any part thereof, or to demise the same for any term of years; And whereas the said lot of land being immediately adjacent to one of the Depots of the Ontario, Simcoe and Huron Railway, it would greatly promote the objects of the said Trust, and would also be convenient to the public, if the surviving Trustee were empowered to dispose by sale of a part of the said lot near to the said Depot, or to lease the same in village lots for a long term of years, and the said Reverend William Ritchie, the surviving Trustee, and the said Charles Sibbald and Isabella Sibbald, have petitioned that an Act may be passed for that purpose: 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. It shall and may be lawful for the said Reverend William Ritchie, as such surviving Trustee as aforesaid, or for his heirs from time to time according to his or their best judgment and discretion to sell such parts or portions of the front part of the said lot of land not exceeding in the whole fifty acres, either by public auction or by private sale, as he or they may think most for the benefit of the said Trust, and for the best prices that can be reasonably gotten for the same, or to lease the same or any part thereof, not exceeding in the whole fifty acres as aforesaid, for the best rent or rents that can be reasonably gotten for the same, for any time not exceeding in the first instance twenty-one years, but with conditions for renewal for a further term of twenty-one years at a rent to be settled by arbitration according to the provision usually made in that behalf, and to execute

such deeds and conveyances as may be required for carrying into effect such contract of sale or leasing.

II. In case of any sales being made, all the principal moneys arising from every such sale shall be by the said surviving Trustee or his heirs, invested in some public securities or upon mortgage of Real Estate in the Province of Canada, to be held upon the same Trusts on which the said lot of land was settled and conveyed as aforesaid, and the interest only of such moneys so invested, and in case of lease, the accruing rents, shall be paid over and applied during the lifetime of the said Charles Sibbald and Isabella Sibbald, or the survivor of them, and so long thereafter as the remainder of the said lot of land shall continue to be held in Trust, in the manner and to the uses settled and appointed by the said Deed of Trust.

III. Nothing in this Act contained shall in any manner prejudice or affect the interest or estate of any person or persons having any title or claim in or to the said land or any part thereof, otherwise than under the said deed of settlement.

IV. This Act shall be held to be a Public Act.