

B I L L.

An Act to provide for the sale and disposition of Real Estates of Infants in certain cases therein mentioned.

WHEREAS it is expedient to authorize the sale and disposition of the Real Estate of Infants in certain cases where the same is for their benefit: Be it therefore enacted, &c. Proviso.

5 And it is hereby enacted by the authority of the same, That any Infant seized or possessed of, or entitled to any Real Estate in fee, for a term of years, or otherwise howsoever, in Upper Canada, may, by his or her next friend, or by his or her guardian, apply to the Court of Chancery
10 in and for Upper Canada, for the sale or other disposition of such property, or a competent part thereof, in manner and for any of the purposes hereinafter directed: Provided always, that no such application shall be made to the said Court of Chancery without the consent of such
15 Infant if he or she be of the age of seven years or upwards. How application may be made for leave to sell real estate of Infants.

Proviso ; as to infants of or over 7 years,

II. And be it enacted, That whenever, upon any such application as aforesaid, it shall appear satisfactorily to the said Court, that a disposition of any part of such Real Estate of such Infant is necessary and proper, either for
20 the support and maintenance of such Infant or for his education,—or that the interest of such Infant requires, or will be substantially promoted by such disposition by reason of any part of his or her said property being exposed to waste and dilapidation,—the Court may order the
25 sale, or the letting for a term of years, or other disposition of such Real Estate or any part thereof, to be made under the direction of the Master of the said Court, or by the Guardian or Guardians of such Infant, or by any person appointed by the said Court for the purpose, in such man-
30 ner and with such restrictions as to the said Court shall seem expedient, and may order the Infant to convey such Real Estate as the said Court shall think proper; and every such conveyance shall be as valid and effectual, to all intents and purposes, as if the Infant had been, at
35 the time of making or executing the same, of the age of twenty-one years: Provided always, that no such Real Estate shall be so sold, leased or otherwise disposed of as aforesaid in any manner, against the provisions of any last will or of any conveyance by which such Estate was
40 devised or granted to such Infant, or for his or her use. Court of Chancery may order the sale on certain conditions.

Conveyance, &c. how to be made.

Conveyance, &c. to be valid.

Proviso.