

An Act to enable the surviving Executor of the late John McIntosh, Esquire, to lease certain real property in Toronto.

**W**HEREAS the late John McIntosh, in his life-time of the City of Preamble.  
 Toronto, in and by his last will and testament, duly executed on  
 the nineteenth day of July, one thousand eight hundred and forty-nine,  
 devised to his two sons James McIntosh and Charles McIntosh (then and  
 5 now minors) their heirs and assigns, or the survivor of them when they  
 obtain the age of twenty-five years, all and singular that certain parcel  
 or tract of land on the corner of Yonge Street and Queen Street (in the  
 said City of Toronto) purchased by the Testator from the Honorable  
 George Cruikshank and James B. Macaulay, Executors of the late Dr.  
 10 Macaulay, containing about a quarter of an acre, together with all  
 houses and buildings thereon, to have and to hold the same share and  
 share alike for ever, but subject to the condition that the Testator's wife,  
 Helen McIntosh, should during her life receive for her and the support  
 of the Testator's family the rents and profits of the said property, and  
 15 with the further condition that if any of the property which the Testator  
 had insured and of which he had left the rents and profits to his wife  
 during her natural life, should be destroyed by fire, then his Executors  
 should have power to lease the land or any part thereof, as they might  
 think best for the support of his wife and family, for any term not ex-  
 20 ceeding forty two years, the insurance money to be invested on landed  
 security for the good of the legatees: And whereas the said Testator  
 died seized of the property above described, and the said Will was duly  
 proved and administration granted to the said Helen McIntosh and to  
 Thomas Elliot of the Township of Scarborough, in the County of York,  
 25 Gentleman, the Executors appointed by the said Testator in his said Will,  
 and the house and buildings on the said property were thereafter destroyed  
 by fire, being then insured, and the insurance money was invested as  
 directed by the Testator: And whereas the said Helen McIntosh is now  
 deceased, and the said Thomas Elliot the sole surviving Executor un-  
 30 der the said Will, hath represented by his petition to the Legislature,  
 that it would be greatly for the interest of the said devisees James  
 McIntosh and Charles McIntosh that the said lot of land should be leased  
 for a shorter term than forty-two years, but renewable on such conditions  
 as he and the lessee might agree upon and insert in the lease, but that  
 35 he finds that he has no power so to lease the said land and to bind the  
 future owners thereof to such renewal, and the said land has for want  
 of such power lain for some years unproductive, and subject to heavy  
 taxes; and he hath therefore prayed that he may be empowered to make  
 such lease and to carry out the intentions of the said Testator: There-  
 40 fore Her Majesty, &c., enacts as follows: