

## C A P . C V .

## An Act respecting the Will of Nathan Gage, late of the Town of Brantford, Esquire.

[Assented to 9th June, 1862.]

## Preamble.

**W**HEREAS, by his last Will and Testament, Nathan Gage, late of the Town of Brantford, Esquire, gave and devised unto Arunah Huntingdon, William Mathews and John Milliken Tupper, in the said Will named, all his estate, both real and personal, in trust amongst other things to invest and apply certain remaining proceeds thereof to promote the cause and interest of suffering humanity in the community in which he lived, either in the establishment or encouragement of some charitable institution, as, by the said Will, more fully appears; and whereas, by an Act of the Parliament of this Province, passed in the now last Session thereof, Thomas Botham and Allan Cleghorn, Esquires, were added to the said Trust with a view to the more effectual carrying out the provisions of the said Will; and whereas difficulties have arisen and further difficulties are apprehended on the part of the said Trustees in giving effect to the wishes of the said Testator, and a large number of the inhabitants of Brantford, as well as a majority of the said Trustees, have, by their Petition, prayed that an Act may be passed vesting the said remaining proceeds of the said Estate in the Corporation of the Town of Brantford, for the purposes of the said Will, and it is expedient to grant the prayer of the said Petitions: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

Property undisposed of vested in Town of Brantford in trust.

1. The Estate of the said Nathan Gage, now remaining undisposed of in the hands of the said Trustees or of any or either of them is hereby vested in the Corporation of the Town of Brantford, to, upon and under, and for the use, trusts, intents and purposes, and subject to the powers, conditions and limitations mentioned and expressed in, and subject to the provisions of, the said Will; and the said Corporation shall stand and be in the stead of the said Trustees, and shall have all and every the powers and authority given to the said Trustees by the said Will so far as the same relates to the said bequest for charitable purposes; but the said Corporation shall not be in any wise responsible for the past Acts of the said Trustees or either of them, but only for the future management of the said Estate.

Former Trustees released from trust.

2. The said Trustees are and each of them is hereby discharged from all liability for the future management of the said Estate; but they and each of them, for himself individually, shall account to the said Corporation for such of the property or proceeds of the said Estate as may have come into their or his