

An Act to authorize William McIntosh, of the Village of Newcastle, to sell, mortgage, or otherwise dispose of a certain lot of land in the said Village of Newcastle.

WHEREAS William McIntosh, of the Village of Newcastle, in the Township of Clarke and County of Durham, merchant, has presented his petition stating, amongst other things, that the father of the said William McIntosh, William McIntosh, formerly of Newcastle, aforesaid, departed this life in the year of our Lord; one thousand eight hundred and forty-nine, having, while residing at the Township of Darlington, which he did prior to residing at Newcastle, made and executed his last will and testament, bearing date the thirtieth day of April, in the year of our Lord, one thousand eight hundred and forty-two, by which said last will and testament the said William McIntosh did among other devises, devise to the said William McIntosh, the petitioner, the North three quarters of lot number twenty-eight, in the Second Concession of the Township of Clarke, in the County of Durham, aforesaid containing one hundred and fifty acres of land, and now forming part of the village of Newcastle, aforesaid, to hold to the said petitioner William McIntosh, for the term of his natural life, and from and after his natural life, to the first and all and every the son and sons of the said petitioner and the eldest son and sons of said son and sons, and afterwards, in default of sons, to the daughters of the said petitioner, and to the eldest son and sons of such daughters, and in default of both sons and daughters, to the other sons and daughters of the said testator and their sons and daughters; That the Village of Newcastle has, since the death of the said testator, greatly increased in size and population, and promises still to increase greatly both in size and population, and that the South quarter of the said lot has been wholly laid out in village lots is now wholly built on and inhabited, and if the devisee could sell the said three quarters in fee it would also be wholly built on; That the said devisee is unmarried, and has neither sons nor daughters; That the said land as devised is almost valueless, and its being so entailed is also a serious injury to the inhabitants of the village and the village itself, impeding the growth thereof greatly: And whereas it is expedient to grant the prayer of the said petitioner: Therefore, Her Majesty, &c., enacts as follows:

I. William McIntosh, of the Village of Newcastle, in the county of Durham, and Province of Canada, Merchant, shall have full power and authority to hold the North three quarters of lot number twenty-eight in the Second Concession of the Township of Clarke, aforesaid, in fee simple, with power to sell, mortgage, or otherwise dispose of the same, freed and discharged from the limitations, restrictions or remainders created by the said will.

W. McIntosh may hold and dispose of the said lot, without regard to the conditions on which it was devised to him.

II. This Act shall be deemed a public Act.

Public Act.