

An Act to vest certain real estate of the late Thomas Benson in the hands of Trustees.

WHEREAS the widow and children of the late Thomas Benson, in his lifetime of the Town of Port Hope in the County of Durham in this Province, deceased, have by their petition represented, that the said Thomas Benson was killed in the accident that occurred at the Desjardins Canal Bridge on the Great Western Railway, on the twelfth day of March now last past, that the said Thomas Benson departed this life intestate; that at the time of his decease the said Thomas Benson was seized in fee of an undivided fifth part of the lands following, that is to say, the south east quarter and the north half of lot number four, and the north half and a part of the south half of lot number five, in the fourth concession of the Township of Emily, in the County of Victoria, as tenant in common with Nesbit Kirchhoffer, Thomas Curtis Clarke, John Smart, James Smith, and John Shuter Smith, all of Port Hope aforesaid, Esquires, and also of an undivided third part of a part of Town plot number sixty-six in the Town of Port Hope aforesaid, as tenant in common with Thomas Rodman Merritt, of the Town of Saint Catharines, Esquire, and the said John Smart; that the said respective lands were purchased and acquired by the said Thomas Benson and the respective parties above named with the view and intention of laying the same out into lots, and selling the same; and that in pursuance of such intention a plan had been made and printed of the lands firstly above mentioned, preparatory to a sale thereof or of a portion of the same, by auction; and not only had a similar plan been made of the property secondly above mentioned, but a sale by auction of a portion of the lots into which the same had been subdivided had actually taken place; And whereas the said Petitioners have further represented that their interests and those of the other parties jointly interested in the said lands would be best promoted by executing and carrying out the said intended sales, but that in consequence of the death of the said Thomas Benson intestate, and the minority of four of his children and their consequent legal incapacity to execute conveyances, such disposition of the said property cannot at present be legally or advantageously made, and have prayed that an Act may be passed to transfer the estate and interest of the said late Thomas Benson, (or of the said petitioners, his children, as his heirs in the said respective lands as tenants in common as aforesaid) to, and to vest the same in James Rae Benson of the said Town of Saint Catharines, Esquire, and the said Thomas Rodman Merritt, as Trustees to hold the same for the purposes and objects above mentioned, for the benefit of the said petitioners the children of the said late Thomas Benson, with power to join in any sales or conveyances of the same lands that may be made, and to hold the proceeds arising from the same for the benefit of the said petitioners, the children of the said Thomas Benson, according to their several and respective interests in the same, and also to make partition of the same lands

Preamble.