

Certain property of the late J. K. Roche vested in Trustees for the benefit of his children.

I. All the estate, right, title, interest, property, claim and demand whatsoever of the children of the said late John Knatchbull Roche, in or to the lands following, that is to say Lot number one, east of Hope street and south of Ward street; Lot number one, on the west side of Elgin street, south of Ward street, in the Town of Port Hope, in the County of Durham; Town Lot number sixty-two, in the said Town of Port Hope; also Town Lot number eighteen, on the north side of Burton street, in the said Town of Port Hope; and Park Lot number seven, being part of Lot number fourteen, in the twelfth concession of the Township of North Menaghan, in the County of Peterborough, held by the said John Knatchbull Roche in his lifetime, is hereby transferred to and vested in Annie Elizabeth Roche, of the said Town of Port Hope, widow, James McFeeters, of the Town of Bowmanville, Esquire, and George Molyneux Roche, of the Town of Lindsay, Esquire, and the survivor or survivors of them, and their successors to be appointed as hereinafter mentioned, as Trustees, for the benefit of the children of the said John Knatchbull Roche, with power to sell and dispose of the same and make conveyances of the same, and to invest the proceeds of such sales, after paying off the present incumbrances on the same lands, for the benefit of the children of the said John Knatchbull Roche, according to their several and respective shares.

Sales by Trustees;— purchaser discharged on paying the price.

II. Any sale or conveyance of the said lands, or of any part thereof, duly made and executed by the said Trustees, shall be as good, valid and effectual, to all intents and purposes whatsoever, as if the said late John Knatchbull Roche were living and had made the same, or as if the heirs of the said John Knatchbull Roche had made or joined in any sale or conveyance of the same, and the *bona fide* payment to the said Trustees, either alone or in conjunction with the others as aforesaid, of the price or purchase money, or of any part or portion thereof, and the receipt of the said Trustees for any sum or sums of money so paid, shall effectually discharge the person paying the same from seeing to the application or being answerable for the misapplication thereof.

Provision for appointment of new Trustees in case of death, resignation, &c.

III. In case of death or removal from the Province, resignation, incapacity, or unwillingness to act of either or all of the said Trustees, before the complete fulfilment of the Trust hereby created, it shall be lawful for the Judge of the County Court of the United Counties of Northumberland and Durham, on the written application of any one of the heirs of the said late John Knatchbull Roche, to nominate and appoint some fit and proper person to be Trustee or Trustees in the stead of the said Trustee or Trustees so dying or removing from the Province, resigning or becoming unwilling to act as aforesaid, and so from time to time to replace any such Trustee or Trustees so nominated and appointed as aforesaid; and such Trustee or Trustees so from time to time nominated and appointed, as aforesaid, shall have the same power to all intents and purposes as if expressly named and appointed in and by this Act.

Public Act.

IV. This Act shall be deemed a Public Act.