

CAP. CXIII.

An Act to appoint Trustees to wind up the Estate of the late Alexander Macdonell, according to the terms of his last Will and Testament.

[Assented to 18th September, 1865.]

WHEREAS it has, by the Petition of Isabella Penelope Macdonell, relict of the late Alexander Macdonell, in his lifetime of the Village of Alexandria, in the County of Glengarry, merchant, been represented that the said Alexander Macdonell departed this life on the thirtieth day of April, in the year of Our Lord one thousand eight hundred and sixty-four, without issue, having first duly made and published his last Will and Testament, whereby he devised and bequeathed his real and personal estate and effects whatsoever and where-soever, unto Donald Alexander Macdonald, of Alexandria, in the County of Glengarry, Esquire, and James Macdonell, of Athol, in the township of Kenyon, in the said County of Glengarry, Esquire, their heirs, executors, administrators and assigns, upon trust, for ever, as soon as conveniently may be after his decease, to make sale and absolutely dispose thereof, and upon further trust to apply the proceeds thereof as directed in and by the said will, and that the said Donald Alexander Macdonald and James Macdonell have by Deed under their hands and seals renounced and refused to accept or to act in the trusts contained and expressed in the said last Will; and that in consequence of the refusal of the said Donald Alexander Macdonald and James Macdonell, to act in the matter of the trusts contained and set out in the said Will, the real estate devised by the said Alexander Macdonell cannot be sold, and the proceeds thereof disposed of and invested as required in and by the said Will; and that it is necessary that Trustees be appointed, to wind up the Estate of the said Alexander Macdonell, real and personal, and to dispose of and invest the moneys arising from the sale or sales thereof, according to the terms of the said Will, and the said Isabella Penelope Macdonell hath by her petition prayed to be appointed such Trustee, and it is expedient that the said Isabella Penelope Macdonell, his widow, and Donald Aeneas Macdonell, of the said City of Kingston, Esquire, be such Trustees: Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:

Preamble.

Will recited.

Renunciation of Trustees named in will recited.

Petition of widow recited.

1. All and singular the lands, tenements and hereditaments, and goods and chattels, and estate and effects, real as was as personal, which were held by the said Alexander Macdonell at the time of his death, shall be and the same are hereby vested in the said Isabella Penelope Macdonell, of Kingston, in the County of Frontenac, widow of the said Alexander Macdonell, and the said Donald Aeneas Macdonell, of the said City of Kingston,

Real and personal estate of deceased vested in Trustees.