

## Technical and Bibliographic Notes / Notes techniques et bibliographiques

The Institute has attempted to obtain the best original copy available for filming. Features of this copy which may be bibliographically unique, which may alter any of the images in the reproduction, or which may significantly change the usual method of filming are checked below.

- Coloured covers / Couverture de couleur
- Covers damaged / Couverture endommagée
- Covers restored and/or laminated / Couverture restaurée et/ou pelliculée
- Cover title missing / Le titre de couverture manque
- Coloured maps / Cartes géographiques en couleur
- Coloured ink (i.e. other than blue or black) / Encre de couleur (i.e. autre que bleue ou noire)
- Coloured plates and/or illustrations / Planches et/ou illustrations en couleur
- Bound with other material / Relié avec d'autres documents
- Only edition available / Seule édition disponible
- Tight binding may cause shadows or distortion along interior margin / La reliure serrée peut causer de l'ombre ou de la distorsion le long de la marge intérieure.
- Blank leaves added during restorations may appear within the text. Whenever possible, these have been omitted from filming / Il se peut que certaines pages blanches ajoutées lors d'une restauration apparaissent dans le texte, mais, lorsque cela était possible, ces pages n'ont pas été filmées.
- Additional comments / Commentaires supplémentaires:

**Cover title page is bound in as last page in book but filmed as first page on fiche.**

L'Institut a microfilmé le meilleur exemplaire qu'il lui a été possible de se procurer. Les détails de cet exemplaire qui sont peut-être uniques du point de vue bibliographique, qui peuvent modifier une image reproduite, ou qui peuvent exiger une modification dans la méthode normale de filmage sont indiqués ci-dessous.

- Coloured pages / Pages de couleur
- Pages damaged / Pages endommagées
- Pages restored and/or laminated / Pages restaurées et/ou pelliculées
- Pages discoloured, stained or foxed / Pages décolorées, tachetées ou piquées
- Pages detached / Pages détachées
- Showthrough / Transparence
- Quality of print varies / Qualité inégale de l'impression
- Includes supplementary material / Comprend du matériel supplémentaire
- Pages wholly or partially obscured by errata slips, tissues, etc., have been refilmed to ensure the best possible image / Les pages totalement ou partiellement obscurcies par un feuillet d'errata, une pelure, etc., ont été filmées à nouveau de façon à obtenir la meilleure image possible.
- Opposing pages with varying colouration or discolourations are filmed twice to ensure the best possible image / Les pages s'opposant ayant des colorations variables ou des décolorations sont filmées deux fois afin d'obtenir la meilleure image possible.

This item is filmed at the reduction ratio checked below / Ce document est filmé au taux de réduction indiqué ci-dessous.

<b>10x</b>		<b>14x</b>		<b>18x</b>		<b>22x</b>		<b>26x</b>		<b>30x</b>	
										<input checked="" type="checkbox"/>	
	<b>12x</b>		<b>16x</b>		<b>20x</b>		<b>24x</b>		<b>28x</b>		<b>32x</b>

No. 216.

---

4th Session, 6th Parliament, 24 Victoria, 1861.

---

**BILL.**

**An Act to vest certain Real Estate of John  
K. Roche in the hands of Trustees.**

**(PRIVATE BILL.)**

---

Received and read, first time, Tuesday, 23rd  
April, 1861.

Second reading, Wednesday, 24th April, 1861.

---

**Mr. BURTON.**

---

**QUEBEC :**

**PRINTED BY THOMPSON, HUNTER & CO.,  
STE. URSULE STREET.**

An Act to vest certain Real Estate of the late John Knatchbull Roche, in the hands of Trustees.

- W**HEREAS the Widow of the late John Knatchbull Roche, in his Preamble.  
lifetime of the Town of Port Hope, in the County of Durham, in  
this Province, Esquire, Provincial Land Surveyor, deceased, hath by  
her Petition represented that the said John Knatchbull Roche died on  
5 the thirteenth day of September, in the year of our Lord one thousand  
eight hundred and fifty-nine; that the said John Knatchbull Roche  
died intestate, leaving Annie Mary Elizabeth, William Hardy, and  
Frederick George, his lawful children, the said Annie Mary Elizabeth  
being an infant of the age of seven years, the said William Hardy  
10 being an infant of the age of four years, and the said Frederick George  
being an infant of the age of two years, and that the said Annie Mary  
Elizabeth, William Hardy, and Frederick George, reside in Port Hope  
aforesaid with said Petitioner; that during the lifetime of the said  
John Knatchbull Roche, he entered into a contract with the University  
15 College for the purchase of Lot number one, east of Hope street and  
south of Ward street, and Lot number one, west of Dign street, south  
of Ward street, in the said Town of Port Hope, upon which there is  
now due to the University the sum of two hundred and seventy-one  
pounds: That the said John Knatchbull Roche also purchased Town  
20 Lot number sixty-two, in the said Town of Port Hope, upon which he  
granted a mortgage, on which mortgage there is now due the sum of  
two hundred and seventy-one pounds: That the said John Knatchbull  
Roche died, seized in fee of Park Lot number seven, part of Lot  
number fourteen, in the twelfth concession of the Township of North  
25 Monaghan, containing nine acres; And whereas the said petitioner has  
represented that the whole of the said property is unproductive, and  
that the said petitioner derives no revenue for the support of her family  
from any part of the said estate; And whereas, in consequence of the  
death of the said John Knatchbull Roche and the minority of his three  
30 children, and their consequent legal incapacity to execute conveyances,  
the contracts made by the said John Knatchbull Roche in his lifetime  
for a sale of a portion of the said real estate cannot at the present be  
legally or advantageously made, nor can any revenue be derived for  
the support of his said children; And whereas the said petitioner hath  
35 prayed that an Act may be passed to vest the said above-mentioned  
real estate of the said John Knatchbull Roche in the hands of Trustees,  
with power to sell and dispose of the same for the purposes and objects  
above mentioned, namely, to enable them in the first place to pay off  
all incumbrances thereon, and to invest the balance of the proceeds  
40 arising from such sale for the benefit of the children of the said John  
Knatchbull Roche, according to their several and respective shares in  
his inheritance, and it is expedient to grant the prayer of the said  
petitioner as hereinafter mentioned; Therefore Her Majesty, by and  
with the advice and consent of the Legislative Council and Assembly of  
45 Canada, enacts as follows:

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.