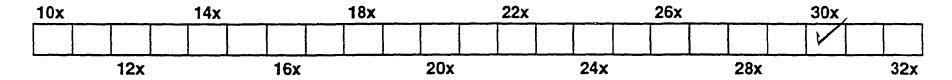
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2nd Session, 7th Parliament, 26 Vict., 1863.

BILL.

An Act to empower the Executors and Trustees of the late James Grimes to sell his Real Estate to pay his debts.

PRIVATE BILL.

Received and read, 1st time, Thursday, 5th Murch, 1863. Second Reading, Monday, 9th March, 1863.

Mr. DUNSFORD.

QUEBEC:

PRINTED FOR THE CONTRACTORS BY HUNTER, ROSE & LEMIEUX, ST. URSULE ST.

An Act to authorize the Trustees and Executors of James Grimes to sell his real Estate to pay his debts.

WHEREAS Margaret Grimes, Widow of James Grimes, of the town-Preamble. VV ship of Mariposa, in the County of Victoria, yeoman, deceased, John Henry Grimes, Susannah Grimes, Rebecca Grimes, and James Grimes, children of the said James Grimes, deceased, and Walter 5 Wright, Jacob Shouldise, and Robert Swain, all of the said Township of Mariposa, yeomen, executors of the said James Grimes, deceased, have by their petition represented: That the said James Grimes died on the 7th day of December, A. D., 1858, and by his Will dated the 5th day of December, 1858, left and bequeathed all his real and personal property 10 to his wife, Margaret Grimes for her life, and at her death, or on her marrying again, to his children, to be divided between them; that the said James Grimes at the time of his death was in embarrassed circumstances and indebted to various persons on mortgage and otherwise to a large amount; that the debts of the said James Grimes still remain un-15 discharged and that the petitioners have no means of paying the same except by a sale of the real estate left by the deceased: And whereas the said petitioners have prayed that an Act may be passed giving power to the said executors of the said James Grimes, with the consent of his widow, the said Margaret Grimes, to sell the real estate of the said tes-20 tator for the purpose of paying off the several claims against the same, and to invest the balance of any monies arising from such sale, after the payment of the several claims aforesaid, for the benefit of the widow and children of the deceased James Grimes: and whereas it is expedient to grant the prayer of the petitioners:—Therefore Her Majesty, by 25 and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows:-

1. The said Walter Wright, Jacob Shouldise and Robert Swain, or Executors of the survivors and survivor of them, with the consent of the said Mar-James Grimes garet Grimes, shall be and are hereby empowered to sell and dispose may sell his 30 of the real estate of the deceased James Grimes, either by public auction pay his debts. or private contract, or partly by the one mode and partly by the other, as to them may seem best, and to make and execute good, valid, and effectual deeds and conveyances of the same, in the same manner that the said James Grimes might or could have done in his lifetime, and 85 after deducting the necessary expenses attending such sale to apply the proceeds to the payment of the debts and liabilities of the deceased James Grimes.

2. The said Walter Wright, Jacob Shouldise, and Robert Swain, Balance to be or the survivors or survivor of them, shall invest any balance of invested as 40 monies arising from such sale (after due payment of the debts of the directed by his will. said deceased) for the benefit of the said Margaret Grimes, his widow, during her life or so long as she shall remain unmarried, in such manner and form as she the said Margaret Grimes shall direct or approve, and at the death of the said Margaret Grimes, or on her mar-45 rying again, they, the said Walter Wright, Jacob Shouldise, and

Robert Swain, or the survivors or survivor of them shall pay over and divide such balance of monies as aforesaid, and any interest accrued on the same, to and amongst the children of the deceased James Grimes, in the manner directed by his will.

- 5 3. In case of the death of all the said executors of the said de-Provision for ceased James Grimes, before the death or marriage again of the said replacing Ex-Margaret Grimes, it shall be lawful for the Judge of the County ecutors dying, Court of the county of Victoria, on application to him in writing of the said Margaret Grimes, or of any one or more of the children of
- 10 the said deceased, to nominate and appoint some fit and proper person to act in the place of the executors of the said James Grimes, who shall have so died as aforesaid, and in like manner to appoint another in case of the death of the person so appointed, and so as often as occasion may require.
- 15 4. This Act shall be deemed a Public Act.

Public Act