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1st Session, 6th Parliament, 21 Victoria, 1858.

(PRIVATE BILL.)

BILL.

An Act to authorize Allan Wilmot, Lewis Wilmot, John Wilmot and Samuel Wilmot, sons of the late Samuel Street Wilmot, to hold certain parcels of land devised to them in fee simple, freed from the restrictions, limitations and remainders created by the will of the said Samuel Street Wilmot.

Received and read, first time, Friday, 30th
April, 1858.

Second reading, Monday, 3rd April, 1858.

MR. ROBINSON.

TORONTO:

PRINTED BY JOHN LOVELL, YONGE STREET.

An Act for the relief of certain Devises of the late
Samuel Street Wilmot.

WHEREAS Allan Wilmot, of the Township of Clarke; Lewis Wilmot, of the same place; John Wilmot, of the city of New York; and Samuel Wilmot, of the Township of Clarke, sons of the late Samuel Street Wilmot, formerly of the said Township of Clarke, Esquire, deceased, and Samuel Turner Wilmot, eldest son of the said Allan Wilmot, have petitioned the Legislature, setting forth that the said Samuel Street Wilmot died on the seventeenth day of December, in the year of our Lord one thousand eight hundred and fifty-six, aged eighty-three years, having first made his last will and testament, bearing date the first day of March, in the year of our Lord one thousand eight hundred and forty-three, by which last will and testament he, the said Samuel Street Wilmot, did, among other things devise to his said sons Allan Wilmot, Lewis Wilmot, John Wilmot, and Samuel Wilmot, certain parcels or tracts of land in the Township of Clarke aforesaid, for life only, entailing the same, in such manner, that neither the devisees nor the public could or can receive such benefit from the said lands as if devised in fee to his said sons :

That Allan Wilmot went into possession of one hundred and thirty-nine acres of lot number thirty-five in the second concession of the said Township of Clarke at the request of his said father, who promised that the said land should be his ; That the same was then almost wholly unimproved, and he the said Allan Wilmot considering it as his own, built a dwelling-house and other buildings thereon, and greatly improved the same ; That Samuel Turner Wilmot is now of the full age of twenty-one years, and is desirous that the wishes of his father should be carried out in this respect :

That the children of Lewis, John, and Samuel, are all infants, under the age of twenty-one years, and that the said Lewis and John are hindered and prevented from making the improvements on their lands which they would otherwise make if owned by themselves in fee :

That a very valuable stream of water runs through the part devised to Samuel, fit for driving any amount of machinery, and that he had arranged to build a gristing mill thereon, but finding what effect the said entail would have, abandoned the said intention.

And whereas, the said Allan Wilmot, Lewis Wilmot, John Wilmot, Samuel Wilmot, and Samuel Turner Wilmot, have prayed that an Act should be passed granting to the said Allan Wilmot, Lewis Wilmot, John Wilmot, and Samuel Wilmot, power and authority to hold their

several shares, so devised as aforesaid, in fee simple, with power to sell, mortgage, or otherwise dispose of the several parts or portions so devised, freed and discharged from the limitations, restrictions, or remainders created by the said will, and it is expedient to grant their prayer; Therefore Her Majesty, &c., enacts as follows :

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The said Devises to hold their lands freed from the entail in their father's will.

I. The said Allan Wilmot, Lewis Wilmot, John Wilmot, and Samuel Wilmot, shall hold the several lands or portions of land devised to them severally by their late father Samuel Street Wilmot, in fee simple, each having full power and authority to sell, mortgage, or otherwise dispose of, the part or portion devised severally to him, freed and discharged 10 from the limitations, restrictions and remainders created by the said will.

Public Act.

II. This Act shall be deemed a public Act.