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

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**BILL.**

An Act to remove doubts as to the validity of certain bequests contained in the last Will of Nathan Gage, deceased, and to enable the Trustees under the said Will, to carry into effect the said bequests.

(PRIVATE BILL.)

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Received and read, 1st time, Thursday, 25th April, 1861.

Second reading, Monday, 29th April, 1861.

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Mr. MORRISON.

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**QUEBEC:**

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

An Act to remove doubts as to the validity of certain bequests contained in the last will of Nathan Gage, deceased, and to enable the Trustees under the said Will, to carry into effect the said bequests.

**W**HEREAS Nathan Gage, heretofore of the Town of Brantford, in the County of Brant, in this Province, did in and by his last Will and Testament, bearing date the 17th day of December, in the year 1849, amongst other things give and devise unto his good and esteemed friends, Arunah Huntingdon, of the Town of Brantford, afore-  
 5 said, Cordwainer, William Mathews, of the same place, Cordwainer, and John Miliken Tupper, of the same place, Carriage-maker, executors of that his last Will and Testament, their heirs, executors, administrators or assigns, or the survivor or survivors of them, his or  
 10 their heirs, executors, administrators or assigns, all the estate real and personal, and of what kind or nature soever, and wheresoever situate and being, whether in this Province or thereout, both at law or in equity, whether in possession or expectancy, that might belong or in any wise  
 15 or manner of right appertain to him at the time he, the said testator, should depart this life, to have and to hold the same and every part thereof unto them, the said Arunah Huntingdon, William Mathews, John Miliken Tupper, or to the survivor or survivors of them, his or their  
 20 heirs, executors, administrators or assigns for ever, to, upon and under, and for the use, trusts, intents and purposes, and subject to the powers, conditions, and limitations thereafter mentioned and expressed of and concerning the same; and the said testator did further will and direct that his said executors, or the survivor or survivors of them, his or their  
 25 heirs, executors or administrators, after the payment of all debts and legacies in his said will mentioned and specified, and after the payment of further legacies as therein also mentioned, should with the remaining proceeds of his said estate, after such final sale thereof as in the said will directed, invest and apply the same in such manner as to them should seem most likely to promote the cause and interests of suffering humanity  
 30 in that community, either in the establishment of some charitable institution or the encouragement thereof; And the said testator did thereby nominate and appoint the said Arunah Huntingdon, William Mathews, and John Miliken Tupper, his esteemed friends, executors of that his last Will and Testament, under the assurance and conviction that they would well, truly and faithfully execute and fulfil all and singular the  
 35 trusts and duties thereby reposed in and confided to them: And whereas doubts have arisen as to the validity of the residuary devise or bequest in the said Will contained; Therefore, Her Majesty, by and with the advice, &c., enacts as follows:—

I. For and notwithstanding any statute, law, custom or usage to the  
 40 contrary, the residuary devise or bequest in the said Will of Nathan Gage, deceased, contained, for the promotion of the cause and interests of suffering humanity as in the said Will mentioned, either in the establishment of some charitable institution or the encouragement thereof, shall be deemed and taken as legal and valid.

45 II. This Act shall be deemed a Public Act.