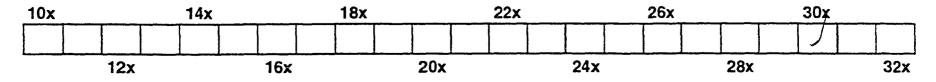
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2nd Session, 6th Parliament, 22 Victoria, 1859.

## (PRIVATE BILL.)

## BILL.

An Act to authorize William McAdam to sell certain Village Lots, and for other purposes therein mentioned.

Received and read, first time, Wednesday, 23rd March, 1859.

Second reading, Monday, 28th March, 1859.

HON. MR. CAYLEY.

TORONTO : PRINTED BY JOHN LOVELL, YONGE STREET. No. 196.]

## BILL.

**[1859.** 

An Act to authorize William McAdam to sell certain Village Lots, and for other purposes therein mentioned.

W HEREAS William McAdam of the Township of Pembroke, in Prenuble.
W the County of Renfrew, Esquire, has presented his petition stating (amongst other things) "That the late David Campbell Dunlop, of the Township of Pembroke in the County of Renfrew, before and at
5 the time of his death, was seized and possessed of Lots numbers twenty-four and twenty-five, in the second concession of the Township of Pembroke, and other lands in the said Township of Pembroke; that in the month of July, A. D. 1550, the said David Campbell Dunlop died and left a will bearing date the twenty-ninth day of Jane, A. D. 1850, 10 in which will he bequeathed all his real and personal estate to his wife Mary Dunlop, during her life time, and at her death, to be equally divided among his (the said David Campbell Dunlop's) surviving brothers and sisters; That William McAdam the petitioner was married to his said widow Mary Dunlop, in the month of Oetober, one thousand

- to his said widow Mary Dunlop, in the month of October, one thousand 15 eight hundred and fifty-three; That before the decease of the said David Campbell Dunlop, the Village of Campbeltown was founded and laid out, upon Lots numbers twenty-four and twenty-five, in the second concession of the Township of Pembroke aforesaid, by the late David Campbell Dunlop and some of the Village Lots so laid out,
- 20 were purchased and built upon; and since the death of the late David Campbell Dunlop an improvement in the first survey of the said Village was made by petitioner; That the petitioner did not register the plan of the said Village, which he has in his possession in duplicate, being desirons of extending the limits of the said Village, so soon
- 25 as he procures an Act authorizing the sale of Lots in the said Village of Campbeltown; That the heirs and devizees of the late David Campbell Dunlop, after the decease of Mary Dunlop his late widow, as aforesaid, and now the wife of petitioner having an interest in the said estate, who, by the terms of the said will, have a right to 30 inherit, were, at the time of the death of the said David Campbell
- 30 Inherit, were, at the time of the death of the said David Campbell Dunlop, John Dunlop, Aroona II. Dunlop, Hugh Dunlop and Alexander Dunlop, brothers of the late David Campbell Dunlop, and Clarissa Dunlop and Laura Langdon Dunlop, sisters of the late David Campbell Dunlop; That three of these heirs and divizees as aforesaid, to wit,
- 35 John Dunlop, Aroona H. Dunlop and Hugh Dunlop, reside in the immediate vicinity of the said Village of Campbeltown, in the said Township of Pembroke, and the remaining heirs and devizees, if now alive, are residing in foreign countries; That the petitioner with the consent, and by the advice and request of the heirs and devizees resid-
- 40 ing in the vicinity, which consent is to the said petition annexed in

writing, is desirous of procuring an Act of the Legislature, authorizing the petitioner to sell Village Lots in the said Village of Campbeltown, situated on Lots numbers twenty-four and twenty-five in the second concession of the said Township of Pembroke in the following manner and upon the following conditions, to wit: the 5 purchase money to remain in the hands of the purchaser until the heirs and devizees come into possession of the said estate, according to the provisions of the said will of the late David Campbell Dunlop, your petitioner receiving the interest on the purchase money annually, and the heirs and devizees or the survivor or survivors of them, making a 10 deed and assuring a title in fee simple to the purchasers upon coming into possession of the said estate of the late David Campbell Dunlop; And it is also alleged in the said petition, that it would be for the benefit and prosperity of the Village of Campbeltown to pass an Act authorizing the sale of Lots as aforesaid, and also it appears that the 15 heirs and devizees have given their consent thereto; And whereas it is expedient to grant the prayer of the said petition ;" Therefore Her Majesty, &c., enacts as follows :

1. From and after the passing of this Act, it shall and may be law-

second concession of the Township of Pembroke, in the County of

Renfrew, which are now surveyed and laid out, or which may hereafter be surveyed and laid out in Village Lots, the plan of which survey now made or hereafter made, shall be by the said William McAdam 25

registered in the Register Office of the County of Renfrew.

ful for the said William McAdam to sell and dispose of, all or any 20

Power to Wm. McAdam to dispose of property of late **D**, portion or portions of Lots numbers twenty-four and twenty-five in the C. Dunlop.

But such sales to be hy bond forconvevance heirs, de

Purcha-e money to be retained by to be paid to W. McAdam.

Bonds for final conveyance to be valid mlaw and equity. 🝶

II. The said William McAdam shall have no power or authority to give an absolute deed or conveyance in fee simple of any of the said in fee simple lands, but the sale shall be by bond, which bond or obligation shall be to be given by duly executed in duplicate under seal by the said William McAdam 30 and the purchaser or purchasers, and shall bind the heirs and devizees of the late David Campbell Dunlop had in their proper persons duly executed the same; Provided always, that the conditions of the said bond are duly fulfilled by the purchaser or purchasers as hereinafter mentioned. 35

III. The purchase money shall remain in the hands of the vendee until the heirs and devizees of the said David Campbell Dunlop come vender but in. into possession of the estate as aforesaid; Provided always, that the terest thereon interest upon the said purchase money, being not less than six per cent., be paid annually to the said William McAdam during the life 40 time of Mary his wife, late widow of the said David Campbell Dunlop as aforesaid.

> IV. Every bond made and executed by the said William McAdam, of or concerning any part or portions of the said lots, shall be valid in law and equity as against every person who, under the, said will of 45 David Campbell Dunlop, may have or claim or might have or claim any estate or interest therein; Provided always, that the purchase money or sum agreed upon by and between the said William McAdam and the purchaser or purchasers, shall be payable on demand to the heirs and devizees of the said David Campbell Dunlop or the survivor 50 or survivors of them, upon coming into full and absolute possession of

the said estate after the death of Mary, wife of the said William Mc-Adam and late widow of David Campbell Dunlop; And should default In case of debe made in the payment of the purchase money as aforesaid, then in fault to pay such case the sale made by the said William McAdam to the vendee ey, property to 5 shall be absolutely void, and the lands held in possession by the vendee revert to heirs. shall thereupon revert to the heirs and devizees of the late David Campbell Dunlop.

V. The heirs and devizees under the will of the late David Campbell Heirs bound to Dunlop shall, upon receiving the original purchase money thereof, or simple upon 10 upon a tender of such sum being made to any or either of them, grant tender of purto the vendee a good, sure and sufficient deed of conveyance in fee chase money. simple in accordance with the stipulations and conditions of the bond or bonds executed by the said William McAdam in accordance with the provisions of this Act; and it the heirs and devizees or any or

15 either of them neglect or refuse to give to the purchaser a deed as aforesaid, then and in such case the vendee shall have the same remedy at law or in equity as if the heirs and devizees aforesaid had themselves executed the said bond or bonds of sale.

VI. This Act shall be deemed a public Act.

Publie Act.