

*Laws of His Majesty's Province of Upper Canada*, passed in the year 1826. York: Robert Stanton, 1826.

7 George IV – Chapter 21

**An Act to authorize certain Persons therein named, and their Successors, to hold certain Lands for the purpose therein mentioned. (Passed 30th January, 1826.)**

Whereas Thomas Carfrae the younger, Peter McPhail, and other Inhabitants of the Town of York, have by their Petition set forth that owing to the influx of the inhabitants of the Town of York and the small Portions of Ground hitherto allotted for the purpose of Cemeteries, it has become desirable that a Plot be obtained for the purpose of a General Burying Ground, as well for Strangers as for the Inhabitants of the Town, of whatever sect or denomination they may be, That several meetings of the inhabitants of the said Town have been held in order to fix upon some plan to obtain the required Land for that purpose, and that arrangements have been made for purchasing and enclosing, by means of a Private Subscription, a Tract of Six Acres of Land in the Vicinity of the Town of York: And whereas it is prayed by the said Petition, that Peter Patterson, John Ewart, Thomas Carfrae the younger, Thomas David Morrison and Thomas Hollowell, who have been nominated by the Subscribers as Trustees, may be enabled to hold to them find their Successors, in a Corporate capacity, the Six Acres of Land which shall be purchased for the purpose aforesaid, and that power be given to make such Rules and Regulations as may be necessary respecting the same. Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Upper Canada constituted and assembled, by virtue of and under the authority of an Act passed in the Parliament of Great Britain, intituled, "An Act to repeal certain parts of an Act, passed in the Fourteenth year of His Majesty's Reign, intituled, 'An Act for making more effectual provision for the Government of the Province of Quebec in North America, and to make further provision for the Government of the said Province,'" and by the authority of the same, That it shall and may be lawful for the said Peter Patterson, John Ewart, Thomas Carfrae the younger, Thomas David Morrison, and Thomas Hollowell, to purchase, have, hold, receive and take a Conveyance of any such convenient Parcel or Tract of Land in the said Township of York, not exceeding Six Acres in the whole, as they may be enabled to contract for, for the purpose aforesaid, and that it shall and may be lawful for the said Trustees so purchasing such Parcel or Tract of Land, and their Successors, to be appointed as hereinafter mentioned, to have and to hold the same, to and for the use and purpose aforesaid, in perpetuity for ever.

II. And in order to prevent the failure of such estate in succession, be it therefore further enacted, That whenever it shall happen that more than two of the Trustees herein named, shall die, or shall become resident abroad, or become incapable of acting in the said trust, it shall be in the power of the inhabitant householders of the Town of York, upon notice thereof being given in the Government Gazette, at least thirty days before such meeting, by the remaining Trustee or Trustees, to elect, at a meeting to be held on the First Monday in the month of January, by the vote of the majority of such householders, the requisite number of Trustees from among the inhabitant householders of the said Town of York to complete the number of five Trustees, and that immediately upon such election the Six Acres of Land so to be purchased as aforesaid shall become legally vested in such Trustees.

III. And be it further enacted by the authority aforesaid, That the Trustees, for the time being for the purposes of this Act, shall have power at all times hereafter to make such Rules and Regulations, not repugnant to the Laws of this Province, as may be necessary for the due management of the said Land for the purpose aforesaid.