

vided always, that if the Master or Commander of any Ship or Vessel be the Offender, and have not sufficient Goods and Chattels of his own whereon to levy the Penalty and Costs as aforesaid, such Penalty and Costs shall and may be levied on the Boats, Tackle and Apparel of such Ship or Vessel.

Limitation.

XX. And be it further enacted, That this Act shall continue and remain in Force until the First Day of January which will be in the Year of our Lord One thousand eight hundred and thirty seven.

CAP. XLI.

An Act to authorize the Rector, Church Wardens and Vestry of Trinity Church, in the Parish of Kingston, to convey their Right to the Land whereon the Court House has been erected to the Justices of the Peace of King's County, in Exchange for other Land; and to establish a public Square in the said Parish.

Passed 31st March 1831.

Preamble.

WHEREAS the legal Title to the Land on which the Court House of King's County has been erected, is claimed by the Rector, Church Wardens and Vestry of the Parish of Kingston as vested in them; but they are nevertheless desirous and willing to convey the same to the Justices of the Peace in and for the said County, and their Successors, upon the said Justices' conveying to the said Rector, Church Wardens and Vestry a certain other Piece of Land situate in the said Parish of Kingston; both of which said Parcels of Land are herein after described:

Corporation of Trinity Church, Kingston, on Receipt of a good Title to a Tract of Land herein described, may convey to the Jus-

I. Be it therefore enacted by the President, Council, and Assembly, That upon the Receipt of a good and sufficient Title, Conveyance and Assurance—from the said Justices of the Peace of King's County—of all that certain Lot, Piece or Parcel of Land situate in the Parish
of

of Kingston, being Part of a Tract heretofore granted to the Justices of the Peace of King's County aforesaid, by Letters Patent under the Great Seal of the Province of New-Brunswick, bearing Date the Thirtieth Day of October in the Year of our Lord One thousand eight hundred and seven, in Trust for the Use, Benefit and Behoof of the Inhabitants of the said County, to erect thereon a Gaol and Court House, and for other public Uses, Profits and Benefits of the said Inhabitants; the said Piece so intended to be conveyed being bounded as follows, viz: Commencing at the Southern Angle of the said Tract, thence running North Forty five Degrees East, Sixteen Chains to the Eastern Angle of the said Tract, thence along the Division Line between the said Tract and the Kingston Glebe Lot, Eight Rods, thence South Forty five Degrees West, on a Line parallel to the First described Boundary, till it meets the Southwest Line of the said Tract, and thence following the said last mentioned Line to the Place of beginning; containing Three Acres; with all the Rights, Members, and Appurtenances thereunto belonging—to be made to the said Rector, Church Wardens and Vestry of Trinity Church in the Parish of Kingston, and their Successors forever—they, the said Rector, Church Wardens and Vestry of Trinity Church in the Parish of Kingston, be and they are hereby authorized and empowered, by good and sufficient Deed, to grant, bargain, sell and convey, unto the said Justices of the Peace in and for King's County, all that certain Lot, Piece or Parcel of Land situate in the said Parish of Kingston, bounded and described as follows: that is to say, The Front or Northerly Line of the said Lot to be Twelve Feet distant from and parallel to the Front of the said Court House, and to extend the whole Width of the said Court House and Four-

tees of the Peace of King's County a Tract of Land also herein described.

teen Feet beyond on each Side, so as to make a Front of Eighty eight Feet, and the said Lot to extend back, preserving the same Width of Eighty eight Feet, until it meets the Line of Land belonging to George Raymond and Achsah Raymond, the Side Lines to be at Right Angles with the said Front Line; together with the Rights, Members and Appurtenances thereunto belonging; to hold to the Justices of the Peace of King's County for the Time being, in Trust for the Use, Benefit and Behoof of the Inhabitants of the said County, for the Purpose of erecting, maintaining and keeping thereon the Court House of the said County from henceforth forever, and for no other Use or Purpose.

Justices in Session authorized to make the Conveyance to the Corporation of Trinity Church.

II. And be it further enacted, That the Justices of the Peace of the said County, shall be and they are hereby authorized and empowered, at any Court of General Sessions of the Peace for the said County, by good and sufficient Deed under the Seal of the said Court, to grant, bargain, sell and convey, unto the said Rector, Church Wardens and Vestry of Trinity Church in the Parish of Kingston, and their Successors forever, the said Lot, Piece or Parcel of Land First herein before described, being Part of the said Tract so granted to them for public Purposes as aforesaid, and held by them by virtue of the said Grant, and the Act of Assembly in such Case made and provided.

‘ III. And Whereas all that Parcel of Land
 ‘ lying in Front of the said Court House in the
 ‘ said Parish of Kingston, bounded Northerly
 ‘ by the Church Yard of Trinity Church, Easterly
 ‘ by the Highway, and Westerly by the Land
 ‘ of the said Reverend Elias Scovil and George
 ‘ Raymond, has for many Years past been used
 ‘ by the Inhabitants of the said County as a public
 ‘ and open Square; and it is the Desire of the
 ‘ said Rector, Church Wardens and Vestry of
 ‘ Trinity

Trinity Church in the Parish of Kingston, and the said Justices of the Peace of King's County, that the same open Space, and also the Land adjoining thereto, belonging to the said Rector, Church Wardens and Vestry, on each Side of the Lot so intended to be conveyed to the Justices of the Peace for the Purpose aforesaid, should be recognized and established by Law as a Public Square; Be it therefore further enacted, That the said open Space above described, together with the Land adjoining thereto and extending therefrom to the Line of Messieurs Raymonds' Land, lying on each Side of the said Court House Lot, and bounded Westerly by the Land of the Reverend Elias Scovil and George Raymond, and Easterly by the public Road or Highway, shall forever hereafter continue and be a public and open Square; and that it shall not be lawful to erect or place any Buildings or Incumbrances thereon; and that all or any Buildings or Incumbrances erected or placed thereupon, shall be deemed and taken to be public Nuisances, in the same Manner, to all Intents and Purposes, as if the same were placed on any public Road or Highway in the said Parish.

Described Tract of Land to be forever hereafter a public and open Square.

Buildings and Incumbrances thereon deemed Nuisances.

IV. Provided also, and be it further enacted, That nothing in this Act contained shall take away or affect, or be construed to take away or affect, the Right and Title of the King's Majesty, His Heirs and Successors, or the Rights of any Person or Persons, Body Politic or Corporate, whatsoever, other than the said Rector, Church Wardens and Vestry of Trinity Church in the Parish of Kingston, and the said Justices of the Peace of the said County in Behalf of the Inhabitants of the said County, as before particularly set forth.

Rights reserved

V. And be it further enacted, That this Act shall be deemed and taken to be a public Act, and as such judicially noticed without being specially set forth or pleaded.

Act to be deemed public.

CAP.