

CAP. XXXVI.

An Act to empower the Rector, Church Wardens and Vestry of Christ's Church in the Parish of Fredericton to assign certain Mortgages and mortgaged Premises.

Passed 19th March 1833.

Preamble.

Recital of Mortgage from Mark Needham.

WHEREAS by a certain Indenture of Mortgage bearing Date the Thirty first Day of May in the Year of our Lord One thousand eight hundred and twenty eight, and made between Mark Needham of Fredericton aforesaid, Merchant, and Isabel his Wife, of the One Part, and the said Rector, Church Wardens and Vestry of the other Part, after reciting that the said Mark Needham by his Bond or Obligation bearing even Date therewith, stood bound to the said Rector, Church Wardens and Vestry in the penal Sum of Four hundred Pounds of lawful Money, of the Province of New Brunswick, conditioned for the Payment of Two hundred Pounds of like lawful Money, on or before the First Day of May next ensuing the Date thereof, it was witnessed that the said Mark Needham and Isabel his Wife, for the Considerations therein mentioned, did grant, bargain, sell, alien, release and confirm unto the Rector, Church Wardens and Vestry aforesaid, their Successors and Assigns, a certain Lot or Piece of Land in the said Indenture particularly described, and subject nevertheless to a Proviso or Condition of Redemption in the said Indenture contained, that if the said Mark Needham should pay or cause to be paid unto the said Rector, Church Wardens and Vestry, or their Successors or Assigns, on or before the Thirty first Day of May next ensuing the Date of the said Indenture, the Sum of Two hundred Pounds of such lawful Money as aforesaid, with lawful Interest, that the same Indenture and the Bond therein mentioned should cease and determine and become void: And Whereas by a certain other Indenture of Mortgage

Recital of Mortgage from

'gage

' gage made and bearing Date the Eighteenth
 ' Day of June in the Year of our Lord One thou-
 ' sand eight hundred and twenty eight, between
 ' Henry Smith of Fredericton aforesaid, Esquire,
 ' and Hannah Winslow Smith his Wife, of the
 ' One Part, and the said Rector, Church War-
 ' dens and Vestry of the other Part, after reciting
 ' that the said Henry Smith, by his Bond or Oblig-
 ' ation bearing even Date therewith, stood bound
 ' to the said Rector, Church Wardens and Vestry
 ' in the penal Sum of Two hundred Pounds, con-
 ' ditioned for the Payment of One hundred Pounds
 ' with lawful Interest on or before the Eighteenth
 ' Day of June next ensuing the Date of the same
 ' Indenture, and also reciting that Richard Dib-
 ' blee of Fredericton aforesaid, Merchant, stood
 ' bound to the said Rector, Church Wardens and
 ' Vestry in the penal Sum of Four hundred
 ' Pounds, conditioned for the Payment of Two
 ' hundred Pounds with lawful Interest on or be-
 ' fore the said Eighteenth Day of June then next
 ' ensuing, it was witnessed that the said Henry
 ' Smith for the Considerations therein mentioned
 ' did grant, bargain and sell, alien, release and
 ' confirm unto the said Rector, Church Wardens
 ' and Vestry, and their Successors and Assigns,
 ' certain Lots, Pieces and Tracts of Land in the
 ' same Indenture particularly described, but sub-
 ' ject to a Proviso or Condition of Redemption in
 ' the same Indenture contained, that if the said
 ' Henry Smith should well and truly pay, or cause
 ' to be paid, to the said Rector, Church Wardens
 ' and Vestry, their Successors or Assigns, on or
 ' before the Eighteenth Day of June next ensuing
 ' the Date thereof, the Sum of Three hundred
 ' Pounds with lawful Interest, that the same In-
 ' denture and every Thing therein contained, and
 ' the Bonds therein mentioned, should cease, de-
 ' termine, and become utterly void: And Where-
 ' as Nathaniel Allen Coster hath agreed with the

Henry Smith,
Esquire.

‘said Rector, Church Wardens and Vestry for
 ‘the absolute Sale and Assignment to him of the
 ‘Lands, Tenements and Hereditaments described
 ‘and comprised in the above recited Indentures;’

Corporation of
 Christ's Church
 in Fredericton
 authorized to as-
 sign their Inter-
 est in the recit-
 ed Mortgages
 and Premises to
 Nathaniel Allen
 Coster.

Be it therefore enacted by the Lieutenant Go-
 vernor, Council and Assembly, That the said
 Rector, Church Wardens and Vestry be and
 they are hereby fully authorized and empowered to
 grant, bargain, sell, assign, transfer and set over
 unto the said Nathaniel Allen Coster, his Heirs,
 Executors, Administrators and Assigns, all and
 singular the Lands, Lots, Pieces, Parcels or
 Tracts of Land, Tenements and Hereditaments,
 and all and singular the Premises comprised in
 the said in Part recited Indenture of Mortgage,
 together with their and every of their Rights, Mem-
 bers and Appurtenances, and all the Estate,
 Right, Title and Interest of the said Rector,
 Church Wardens and Vestry, of, in, to or out of
 the same, together with the said several Indentures
 of Mortgage, and the several Bonds therein men-
 tioned, to hold the same to the said Nathaniel Al-
 len Coster, his Heirs, Executors, Administrators
 and Assigns, in as full, ample and beneficial a Man-
 ner, to all Intents and Purposes, as the said Rec-
 tor, Church Wardens and Vestry now hold or
 heretofore have held and enjoyed the same, sub-
 ject nevertheless to the Proviso or Condition of
 Redemption in the said several Indentures reserv-
 ed and contained.