

Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1816. Fredericton, NB: George K. Lugin, Printer to the King's Most Excellent Majesty, 1816.

56 George III – Chapter 11

An Act to explain and amend an Act, entitled “An Act for erecting a Parish in the City of St. John, and incorporating the Rectors, Church-Wardens and Vestries of the Church of England, in the several Parishes in this Province.” Passed the 7th of March, 1816.

Whereas doubts have arisen whether the provisions of an Act made and passed in the twenty-ninth year of His Majesty's Reign, entitled “An Act for erecting a Parish in the City of Saint John, and incorporating the Rectors, Church-Wardens and Vestries of the Church of England in the several Parishes in this Province,” do not extend to authorize the Rector, Church-Wardens and Vestry of Trinity Church in the said Parish of St. John, and the Rectors, Church-Wardens, and Vestries of the several and respective Churches already erected, or which shall be hereafter erected in the several and respective Parishes in this Province, to sell and dispose absolutely and in fee simple of the Lands, Tenements and Hereditaments which now do or hereafter may belong to such Churches respectively, now for the re-moving such doubts,

I. Be it declared and enacted by the President, Council and Assembly, That the said herein-before recited Act doth not extend, and shall not be construed to extend to Authorize any such absolute sale and disposition of any such Lands, Tenements and Hereditaments which now do, or hereafter may belong to any such Church, any thing in the said herein-before recited Act to the contrary hereof in any wise notwithstanding.

II. And Whereas doubts have arisen whether the said Rectors, Church-Wardens and Vestries of the several and respective Churches are capable of taking, receiving and holding Lands in trust, for the use of the said several Rectors of the said Churches for the time being, for the removal whereof: Be it further declared and enacted, that the said Rector, Church-Wardens and Vestry of Trinity Church in the Parish of St. John, and the said Rectors, Church-Wardens and Vestries of the several and respective Churches erected, or to be erected in the several and respective Parishes in this Province, shall be deemed in all Courts of Law and equity capable of purchasing, receiving, taking and holding any Lands, Tenements or Hereditaments for the use and benefit of the several Rectors for the time being of the said several and respective Churches, any tiling in the said herein-before recited Act or elsewhere to the contrary thereof notwithstanding; and that all Lands, Tenements or Hereditaments heretofore granted or conveyed to the said several and respective Rectors, Church-Wardens and Vestries upon trust, for the use and benefit of such Rectors or of the Ministers of the said several and respective Churches for the time being, shall be held by and deemed and taken in all Courts of Law and equity, to be holden by the said several and respective Rectors, Church-Wardens and Vestries, for the uses and trusts in the said several grants or conveyances of such Lands, Tenements and Hereditaments respectively expressed, and for no other use, trust or benefit whatever, any thing to the contrary thereof notwithstanding.

III. And be it further enacted, That all Lands, Tenements and Hereditaments already granted or hereafter to be granted to the several and respective Rectors, Church-Wardens and Vestries as herein-before mentioned, for the use and benefit of the Rectors or Ministers of the said several and respective Churches for the time being, shall be held subject to the sole management and direction of such Rectors or Ministers and shall be used, occupied and enjoyed by them severally and respectively for the best benefit and advantage of themselves and their successors in like manner as the Glebe Lands belonging to any Rectory or Parsonage in that part of Great-Britain, called England, are there usually held, occupied and enjoyed.