

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 28

An Act to enable the Minister and Elders for the time being of the Church in Communion with the Kirk of Scotland, lately erected in the City of St. John, to hold the same to them and their Successors for ever, and for other purposes therein mentioned. Passed the 16th of March, 1816.

Whereas sundry inhabitants of the City of St. John and its vicinity, being of the Protestant profession of Worship, approved of by the General Assembly of the Church of Scotland, have by voluntary contributions, aided by a grant of money out of the Treasury of this Province, erected a large and handsome building for a place of public Worship, which it is intended shall be in connection with the said Church of Scotland: And Whereas the title to the Lots on which the same Church has been erected, situate in Queen's Ward of the said City, and fronting on Germain Street, is now in sundry inhabitants of the said City, who hold the same in trust for the public use, intent and purpose of a site for the said build-ing as a place of public Worship, for the use of the persons of the profession as aforesaid: And Whereas the said persons are desirous that the said title to the said Lots should be transferred to and vested in the Minister and Elders of the said Church, and that the said Minister and Elders and their Successors, should be incorporated for such purpose and other purposes, for the better support of the same Church.

I. Be it therefore enacted by the President, Council and Assembly, That the Minister and Elders of the said Church commonly called and known by the name of the Kirk of Scotland, whenever such Minister and Elders shall be duly chosen and appointed, according to the usages of the said Church of Scotland, and the said Minister being first approved and licenced by the Governor or Commander-in-Chief of the said Province for the time being, shall be deemed and taken to be in all Courts of Law and equity, the proprietors of the said Lots, instead of the said persons now having title thereto as aforesaid, and that the said title to the said Lots shall thence forward be transferred to and vested in the said Minister and Elders and their Successors for ever, being so elected and appointed and approved and licensed as aforesaid, to have, hold, use and enjoy the same for the use and intent aforesaid, by the name of the Minister and Elders of the Kirk of Scotland, in the City of St. John, saving nevertheless the right of His Majesty, his Heirs and Successors, and of all bodies Politic and Corporate, and of all other Persons to the said Lots, except the said Persons in whom the title is vested as aforesaid for the use aforesaid.

II. And be it further enacted, That the said Minister and Elders of the Kirk of Scotland in the City of St. John and their Successors, shall and may have power to sell or let the Pews in the said Church, upon such terms as they may judge fit, and can agree for with the persons desirous to purchase or hire the same; and that when the said Pews are so sold or let, the persons purchasing or hiring the same, shall hold and enjoy the same according to the tenor of the contract, or terms on which same may be so sold or let.