

Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1830. Fredericton, NB: John Simpson, Printer to the King's Most Excellent Majesty, 1830.

10 & 11 George IV – Chapter 26 (Session 1)

An Act to confirm a division made of certain Lands situated at Chamcook, in the Parish of Saint Andrews, granted to the Justices of the County of Charlotte, in trust for the use and benefit of the Rector or Minister, and Parish School of the same Parish. Passed 8th March, 1830.

Whereas, by a certain grant, or Letters Patent, under the Great Seal of the Province of New-Brunswick, bearing date the Ninth day of November, in the year of our Lord One thousand seven hundred and eighty-seven, certain tracts of Land situated at Chamcook, in the Parish of Saint Andrews, in the County of Charlotte, were granted to the Justices of the Peace of the said County, in trust for the use, behoof and benefit of the Rector or Minister, and of the School of the said Parish of Saint Andrews.

And whereas, at the General Sessions of the Peace for the said County, held in the month of April, in the year of our Lord One thousand eight hundred and twenty-one, the said Justices in General Sessions, at the joint request of the Rector of the said Parish, and of the Trustees for the Parish School, ordered, an equal division of the said tracts of Land so granted as aforesaid, to be made between the parties, interested therein, under the trusts of the said Grant.

And whereas, an equal division has been made of the said tracts of Land, pursuant to the order of the said Justices in General Session and the said Rector's share or division of the said Land, according to the division so made as aforesaid, is distinguished and described by the survey and plan of division made thereof by Colin Campbell, Esquire, Deputy Surveyor, as follows, to wit:—

The first Tract, letter C. beginning on the northern bank or shore of Passamaquoddy Bay, at the eastern boundary of a tract of Land granted to the first Minister of Saint Andrews; thence running along the eastern line of the said grant, and the extension thereof, north by the Magnet, thirteen degrees thirty minutes west eighty eight chains of four poles each; thence north, seventy-six degrees thirty minutes east Forty Chains; thence south, thirteen degrees thirty minutes east One hundred and four, chains; thence southeasterly across Kilmarnick [Kilmarnock] Head to a Cove marked with a cross; thence following the several courses of Kilmarnick Head aforesaid in a southerly and northwesterly direction to the southeastern boundary of the said Tract, letter C.; thence westerly along the shore of Passamaquoddy Bay aforesaid, to the place of beginning.—The second Tract, letter A. beginning at the southwestern angle of the first division of the Penobscot grant; thence running south seventy-six degrees thirty minutes west One hundred and twenty-two chains to the reserved Road which bounds the third division of the Penobscot grant aforesaid; thence along the said road north thirteen degrees thirty minutes west forty-three chains, to the southwestern angle of Lands granted to John Rigby and others; thence along the southern line of the said lands north seventy-six degrees thirty minutes east One hundred and forty-two chains to the western side line of the first division of the Penobscot Grant aforesaid; thence along the said line south thirty-eight degrees east twenty six chains; thence along a small Stream to the place of

beginning.—The third Tract, embracing Lots, letters B. and D. beginning at the Northeastern angle of a tract of Land granted to the first Minister of Saint Andrews; thence running along the northern line of the said grant, and of the grant to Thomas Wyer and others, south seventy-six degrees thirty minutes west One hundred and twenty-five chains, to the reserved Road which bounds the third division of the Penobscot grant aforesaid; thence along the said road north thirteen degrees thirty minutes west, forty eight chains; thence north seventy-six degrees thirty minutes east One hundred and twenty-two chains, to the southwestern angle of the first division of the Penobscot grant aforesaid, at the shore of Passamaquoddy Bay; thence southerly along the several courses of the said shore and of Kilmarnick Head aforesaid to the Cove marked with a cross as before mentioned; thence across Kilmarnick Head in a northwesterly direction to the southern Boundary of the said first tract thence along the eastern line of the said first tract, north thirteen degrees thirty minutes west One hundred and four chains; thence south seventy-six degrees thirty minutes west forty chains; thence south thirteen degrees thirty minutes east fifteen chains to the place of beginning as by reference to the said plan, or certified copy thereof, remaining in the Office of the Registrar of Deeds and Wills for the County of Charlotte, will more fully and at large appear.

And whereas, it is deemed expedient that the said Division of the said Tracts of Land so made as aforesaid should be confirmed and made perpetual by Law.

I. Be it therefore enacted by the President, Council, and Assembly, That the division of the before mentioned tracts of Land so made as in the Preamble of this Act is above mentioned, and therein particularly described, shall be, and the same is hereby confirmed and made perpetual.

II. And be it further enacted, That the said Justices of the Peace of the County of Charlotte, shall, and they are hereby authorized and empowered, to assign and convey unto the said Rector, Church-Wardens, and vestry, of the Parish of Saint Andrews, by a good and sufficient Deed, the said third Tract herein before described, embracing Lot's letters B. and D. as aforesaid: To have and to hold the same to the said Rector, Church-Wardens, and Vestry, and their Successors for ever, in trust for the use of the Rector for the time being, as a Glebe; and that the Rector for the time being may have the use, benefit, and advantage of the said tract of Land, embracing Lots letters B. and D. as aforesaid, the same as any other land granted as a Glebe for the use of the Rector.

III. And be it further enacted, That so much of the said Tracts of Land as is by the division above mentioned allotted to the Trustees of the Parish School aforesaid, and described as Lots letters A. and C. in the said first and second Tract, shall be and remain vested in the Justices of the Peace of the said County of Charlotte, in trust for the use, benefits and behoof of the Parish School of Saint Andrews aforesaid.

IV. And be it further enacted, That nothing in this Act contained shall extend or be construed to extend to authorize the said Justices of the Peace for the said County of Charlotte, to sell and convey absolutely and in fee simple, any part or the whole of the said shares or divisions of the said Tracts of Land in the Preamble of this Act mentioned, so by them to be held in trust for the said Parish School of Saint Andrews as aforesaid.

V. And be it further enacted, That nothing in this Act contained shall extend, or be construed to affect, or interfere with the right or title of the King's Majesty, His Heirs or Successors or any other person or persons, body politic or corporate, other than the said Justices, Trustees of the Parish School of Saint Andrews, and the Rector of the said Parish respectively.

VI. And be it further enacted, That this Act shall be deemed and taken to be a public Act; any thing herein contained to the contrary thereof in any wise notwithstanding.