

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1833. Fredericton, NB: John Simpson, Printer to the King's Most Excellent Majesty, 1833.

3 William IV – Chapter 36

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.

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 made and bearing Date the Eighteenth Bay of June in the Year of our Lord One thousand 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 Wardens and Vestry of the other Part, after reciting that the said Henry Smith, by his Bond or Obligation bearing even Date therewith, stood bound to the said Rector, Church Wardens and Vestry in the penal Sum of Two hundred Pounds, conditioned 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 Dibblee 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 before 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 subject 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 Indenture and every Thing therein contained, and the Bonds therein mentioned, should cease, determine, and become utterly void: And Whereas Nathaniel Allen Coster hath agreed with

the 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;'

Be it therefore enacted by the Lieutenant Governor, 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, Members 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 mentioned, to hold the same to the said Nathaniel Allen Coster, his Heirs, Executors, Administrators and Assigns, in as full, ample and beneficial a Manner, to all Intents and Purposes, as the said Rector, Church Wardens and Vestry now hold or heretofore have held and enjoyed the same, subject nevertheless to the Proviso or Condition of Redemption in the said several Indentures reserved and contained.