

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1853. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1853.

16 Victoria – Chapter 23

An Act to authorise the sale of the Alms House Property in the County of York. Passed 14th April 1853.

Whereas it is desirable that the inhabitants of the several Parishes in the County of York, having an interest in the Alms House Property in the said County, should be authorised to dispose of their rights therein;

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, as follows:—

1. That upon a requisition signed by twelve rate payers upon property in any Parish in the said County interested in the Alms House, the Parish Clerk shall call a public meeting of the rate payers upon property resident in such Parish, and who shall have paid the rates legally due from them in such Parish, to consider the propriety of disposing of the interest of the inhabitants of such Parish in the Alms House.
2. Thirty days notice of the time and place of such meeting shall be given by publication thereof in a Newspaper published in the County, and by handbills posted up in six public places in such Parish.
3. The Clerk of the Parish shall preside at such Meeting, and if it shall be determined by the majority of such rate payers upon property then present, that a sale of the interest of such Parish in the said Alms House should take place, then the said Clerk shall forthwith transmit to the Clerk of the Peace of the County a report of the proceedings of such meeting, signed by him, and sworn to before a Justice of the Peace of the County, together with an affidavit of the due publication of the said notices.
4. The Clerk of the Peace shall at the next General Sessions after the receipt of any such report, or at any Special Session to be called for that purpose, lay before such Sessions the reports so transmitted to him, and it shall be lawful for the Justices in such Session, to order to be sold at public auction to the highest bidder, the interest of one or more such Parishes.
5. Upon any such sale being made, and the purchase money paid or secured to the Justices of the Peace of the said County, such Justices shall convey to the purchaser thereof, by Deed in the name of the Justices of the Peace of the County of York, all the right, title and interest of any such Parish in the said Alms House, and the land thereto belonging; and any such conveyance being duly executed under the Seal of the General Sessions of the said County, signed by the Chairman presiding at such Sessions, and

countersigned by the Clerk of the Peace, and proved in the manner provided for the proof of Deeds of Corporations, may be registered in the office of the Register of Deeds and Wills for the said County, and shall vest in the purchaser thereof all the right, title and interest of the said Justices, either at law or in equity, in the said property, so far as relates to the said Parish in respect to which such sale shall have been made.

6. The proceeds of the sale of the said property shall be paid to the County Treasurer for the public use of the respective Parishes authorising such sale; provided nevertheless, that no such proceeds shall be paid by the said Treasurer to any person until the full amount actually due Joseph Fleming, as Alms House Keeper, (if any at the time of such sale,) be first paid off and discharged.

7. If the rate pavers present at any such meeting, called for the purpose of this Act, cannot agree to dispose of the interest of the Parish in the Alms House, or if no contract can be made by the Justices for such sale, it shall be lawful for the respective Clerks of the Parishes, as often as occasion may require, to call other public meetings for that purpose, in the manner directed in the first and second sections of this Act, and the same proceedings shall be had thereon as directed for such first meeting.