

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1858. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1858.

21 Victoria – Chapter 50

An Act relating to certain Public Lands in the Parish of Saint Martins, in the County of Saint John. Passed 6th April 1858.

Section.

1. Authority to sell certain lands, and execute conveyances
2. Purchase contract may be enforced.

Section.

3. Application and investment of proceeds.
4. Crown and private rights reserved.

Whereas the Justices of the General Sessions of the Peace for the City and County of Saint John hare by their Petition prayed that an Act may pass, authorizing them to sell a certain tract of Land held by them in trust for public uses, situate in the Parish of Saint Martins of that County, by virtue of a Grant under the Great Seal, bearing date the eighteenth day of January in the year of our Lord one thousand eight hundred and thirty six, for the purpose of making the proceeds thereof more available for the benevolent objects intended by such Grant than the small amounts of rents which can be obtained therefor;—

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

1. The Justices of the Peace for the City and County of Saint John, at any General or Special Sessions, shall have power to make sale from time to time of all or any portion of the said tract of Land in the said Grant described, by public sale, for the best price or prices that can be obtained for the same, and thereupon shall hare power to make conveyances thereof to any purchaser or purchasers of such land, or any part thereof, under the Seal of the said Sessions, which shall be a good and sufficient transfer of the legal estate in such land, and a sufficient receipt for such price or prices.
2. The contract of any Committee appointed by the Justices at any such Sessions for the purpose of making or causing to be made any such sales, signed by the purchaser or purchasers of, or contractor or contractors for the land aforesaid, or any part thereof, or the contract of sale thereof by the Auctioneer employed by them, shall enable the Justices to sue for and compel the performance thereof, in any competent Court, by the name of "The Justices of the Peace for the City and County of Saint John."
3. The net proceeds of all such sales of land, or arising out of any contract for a sale of the same, after payment of all expenses in effecting the objects of this Act, shall be disposed of by the said Justices at any such Sessions, for such public uses as they may deem most desirable; and until the same shall be so disposed of, it shall be vested by them in such good securities as shall by them be

deemed safe, and from time to time available when required to be used for the purposes aforesaid.

4. All legal and equitable rights of the lessees, or of Her Majesty, Her Heirs and Successors, or of any person or persons whomsoever, are hereby expressly reserved; and no sale, contract or conveyance hereby authorized, shall affect such rights, unless by the consent of the parties interested.