

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1859. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1859.

22 Victoria – Chapter 35

An Act to regulate the sale and disposal of Church and Glebe Lands of the Church of England in this Province. Passed 13th April 1859.

Section.

1. Glebe or Church Lands may be sold under sanction of the Bishop.
2. Previous notice of intended sale.

Section.

3. Investment of proceeds.
4. Sales to be by public auction.

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

1. Whenever it shall appear to the Rector, Church Wardens, and Vestry for the time being of any Parish in the Province, to be clearly for the benefit and advantage of the Church to sell and dispose of the lands and premises, or any part thereof, belonging to or granted and conveyed for Glebe or Church purposes in such Parish, they are hereby authorized to sell and convey the same in fee simple or otherwise, which conveyance, under the Seal of the said Corporation, shall be good and valid, any law or usage to the contrary notwithstanding; provided that every such conveyance shall receive the sanction of the Lord Bishop of the Diocese, signified by his being a party to every such conveyance and executing the same.
2. That before any such lands are sold and conveyed under this Act, notice of such intended sale, signed by the Rector and Church Wardens of the Parish, shall be posted on the door of the Church situate in the Parish where the lands lie, at least three months before Easter Monday, specifying the lands sought to be sold as aforesaid, and also by publishing such notice during the like period in a Newspaper published in the County, if any, and if no such paper then in the Royal Gazette.
3. The proceeds of such sales shall be invested and laid out by the Rector, Church Wardens, and Vestry for the time being, by and with the sanction of the Lord Bishop, either in the purchase of other lands situate in the same Parish, and not elsewhere, or be put and kept out at legal interest, payable annually, upon good and sufficient landed security; and the annual income and interest arising therefrom shall be received and applied to and for the same uses and trusts for which the said lands so sold were originally granted, received and held.
4. All sales under this Act shall be at public auction, and thirty days notice thereof shall be given by publishing the same in a Newspaper printed in the County, if any, and if no such paper then in the Royal Gazette.