

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1861. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1861.

24 Victoria – Chapter 35

An Act to authorize the Justices of the Peace for the County of Charlotte to sell certain Lands in the Parish of Saint Andrews, and invest the proceeds in Government Securities. Passed 12th April 1861.

Section.

1. Authority to sell specified lands to the lessees: minimum price limited.
2. Unoccupied land to be sold at auction.

Section.

3. Investment of proceeds.
4. & 5. Annual income to be applied for the original uses and trusts.

Whereas a certain tract of Land situate in the Parish of Saint Andrews, in the County of Charlotte, known as the Western Commons, is held in trust by the Justices of the Peace for the said County, for the benefit of the inhabitants of the Town of Saint Andrews; and the said Justices have granted leases of the said tract of Land with covenants for renewal, or payment for improvements, and the rents falling due upon the said leases are received and applied, a part thereof towards the support of the Poor of the said Parish, and a part thereof for the benefit of the inhabitants of the said Town of Saint Andrews: And whereas a certain tract of land situate at Chamcook in the said Parish, known as the School Lands, is vested in the said Justices of the Peace in trust for the use, benefit, and behoof of the Parish School of Saint Andrews aforesaid, and the said Justices have granted leases of the said tract with covenants for renewal, or payment for improvement: And whereas the lessees are desirous of purchasing in fee simple the lands occupied by them respectively, and it is deemed advisable to sell the same, and also those parts of the said tracts which are unoccupied, and invest the proceeds of such sales in other securities;—

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

1. The Justices of the Peace for the County of Charlotte, at any General Sessions, are hereby authorized and empowered to sell and convey to the lessees of the said lands, those parts thereof occupied by them respectively, for such price as to the said Justices of the Peace may seem proper and expedient; provided however, that no land now under lease shall be sold by private sale to any lessee at a lower rate than a sum the interest of which shall be equal to the rent now payable by said lessee.
2. All those parts of the said tracts of land which are at present or may hereafter become unoccupied, shall be sold at public auction to the highest bidder, one month's notice of such sale having been first advertised in a newspaper published in the Town of Saint Andrews.
3. The proceeds of such sales shall be invested by the said Justices of the Peace in the purchase of Provincial Railway Debentures issued by the Governor in Council, pursuant to the Act of

Assembly Chapter 14, passed in the nineteenth year of the Reign of Her present Majesty, or in the Provincial Savings Bank, or some other Provincial Government security.

4. The annual income or interest arising from the proceeds of the sales of the Western Commons lands 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.
5. The annual income or interest arising from the proceeds of the sales of the School lands 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.