

*Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1863.* Fredericton, NB: G. E. Fenety, Printer to the Queen's Most Excellent Majesty, 1863.

26 Victoria – Chapter 32

**An Act to authorize the Rector, Church Wardens and Vestry of Trinity Church, in the Parish of Saint John, in the City of Saint John, to sell part of their Real Estate in the City and County of Saint John. Passed 20th April, 1863.**

Section.

1. Power of Rector, &c. to sell; exceptions.

Section.

2. Lots excepted in first Section.
3. Moneys, how to be applied.

Whereas the Rector, Church Wardens and Vestry of Trinity Church, in the Parish of Saint John, in the City of Saint John, have by their Petition set forth that they, the said Rector, Church Wardens, and Vestry, are seized of divers parcels of real estate situate in the said City and County of Saint John, part of which they are desirous of selling, for the purpose of reducing the bonded debt of the said Rector, Church Wardens, and Vestry, and prayed that they may be empowered to make sale of part of the said real estate from time to time as may be found expedient: And whereas it is deemed desirable that the said Rector, Church Wardens, and Vestry, should have the power and authority prayed for in the said Petition;—

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

1. It shall and may be lawful for the said Rector, Church Wardens and Vestry of Trinity Church, in the Parish of Saint John, in the City of Saint John, and they are hereby empowered and authorized to sell and dispose of from time to time as they may deem expedient, for the purpose of reducing their said debt, by public auction to the highest bidder, the said real estate, lands and tenements to them belonging, except the lots, pieces and parcels of land and tenements mentioned in the second Section of this Act, in such parcels, and on such terms as they shall see fit; and upon any sale or sales of the same or any part thereof, to make good and sufficient conveyances of the same in fee under their corporate seal, and when necessary to take security by way of mortgage or otherwise, and in case of forfeiture of any securities so taken, the mortgaged premises to possess, hold, and enjoy, and the same again to sell and dispose of in the same manner and with the like powers as aforesaid, as they the said Rector, Church Wardens, and Vestry, and their successors, shall deem it expedient, any Act or Law to the contrary notwithstanding.

2. Nothing in this Act shall be construed to empower or authorize the Rector, Church Wardens, and Vestry, or their successors, to sell or dispose of the whole or any part of the lots of land lying between Germain and Charlotte Streets in the said City, on which the Parish Church and School House now stand; nor of the lots on either side of King Street, under mortgage to the Lord Bishop of Fredericton; nor of the Burial Ground in the Parish of Simonds, belonging to the said Rector, Church Wardens, and Vestry.

3. The moneys arising from any such sale or sales shall be applied to the reduction of the Bond Debt of the said Rector, Church Wardens, and Vestry, as soon as may be after the same are realized; but it shall not be necessary for any purchaser under this Act to see to the proper application of the purchase money, nor shall his title be in any way affected by the misapplication thereof.