

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1864. Fredericton, NB: G. E. Fenety, Printer to the Queen's Most Excellent Majesty, 1864.

27 Victoria – Chapter 28

An Act to enable the Rector, Church Wardens and Vestry of Christ Church, in the Parish of Woodstock, to convey certain Lands in the County of York. Passed 11th April, 1864.

Section.

1. Rector, &c. to convey to Bishop.
2. Arbitrators, when and by whom appointed.
3. Duty of Arbitrators.

Section.

4. When Arbitrators determine, Rector, &c. to convey.
5. Bishop to hold Land in trust.

Whereas by Letters Patent under the Great Seal of the Province, bearing date the twenty sixth day of May in the year of our Lord one thousand eight hundred and thirty one, a certain tract of Land then situated in the Parish of Woodstock, and County of York, distinguished as Lots A and B, containing seven hundred and thirty nine acres, and described in the said Letters Patent as the second tract, beginning at a marked fir tree standing on the southwestern bank or shore of the River Saint John, at the northern angle of lot number seventeen granted to John B. Williston; thence running south thirty six degrees and forty five minutes west one hundred and ninety two chains, along the northwestern boundary line of the said grant; thence north fifty three degrees and fifteen minutes west thirty eight chains; thence north thirty six degrees and forty five minutes east one hundred and ninety eight chains, along the southeastern boundary line of lot C granted to Ira Miller, to the said bank or shore; and thence following the several courses of the same down stream to the place of beginning,—was granted to the Rector, Church Wardens and Vestry of Christ Church, in the Parish of Woodstock, to hold in trust for the use of the said Church: And whereas upon the division of the said County of York, the said tract has now become part of the Parish of Canterbury; and the said Rector, Church Wardens and Vestry have agreed to convey one half of the said tract to and for the use of the Church of England in the said Parish of Canterbury;—

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

1. That the said Rector, Church Wardens and Vestry of Christ Church, in the Parish of Woodstock, shall and may convey one half of the said tract of land to the Bishop of the Diocese of Fredericton, to be held by him and his successors in fee simple, in trust for the use and benefit of the Church of England in the said Parish of Canterbury.
2. In case the said Bishop and the said Rector, Church Wardens and Vestry shall be unable to agree upon the portion of the said tract of land to be conveyed, the same shall be determined by arbitrators, one to be appointed by the said Bishop, and the other by the said Rector, Church Wardens and Vestry, which arbitrators shall have power to appoint a third, if necessary.

3. The said arbitrators, or any two of them, shall define and describe in writing, under their hands, the portion of the said tract of land to be conveyed to the said Bishop under the provisions of this Act, and shall deliver the said description to the said Sector, Church Wardens and Vestry.

4. Whenever the portion of the land to be so conveyed shall be agreed upon or determined by arbitration, the said Rector, Church Wardens and Vestry shall make and execute a conveyance thereof to the Bishop of Fredericton, to be held in trust in the manner and for the purposes mentioned in the first Section of this Act.

5. The said Bishop and his successors shall hold the said land in trust for the use and benefit of the Church of England in the said Parish of Canterbury, until a Church Corporation shall be established in the said Parish, and thereupon the said land shall be conveyed to the said Corporation upon the like trust.