



ANNO OCTAVO
VICTORIÆ REGINÆ.

CAP. XIX.

An Act to enable the Trustees holding a certain Lot in the Town of Simcoe for the use of a Church, to sell and convey the same or any portion thereof, and to appropriate the proceeds to a like use.

[10th February, 1845.]

WHEREAS, by Her Majesty's Letters Patent, under the Great Seal of this Province, bearing date at Montreal, the twenty-fifth day of November, in the year of our Lord one thousand eight hundred and forty-four, a certain parcel or tract of land therein described, containing about two acres, and being composed of the south-east corner of the Clergy Reserve, Lot Number Fourteen in the Gore, and known as the "Episcopal Reserve," in the Township of Woodhouse, in the County of Norfolk, in the District of Talbot, was granted to the Honorable and Right Reverend John Lord Bishop of Toronto, the Reverend Francis Evans, William Wilson and William Salmon, Esquires, and John Mackelcan, Physician, in trust for the use of a Church of the United Church of England and Ireland, in the Town of Simcoe, in the County aforesaid, within the boundaries whereof the said parcel or tract of land is situate; And whereas divers persons have, without titles, settled and built upon the said parcel of land, and it appears by the petition of the said Reverend Francis Evans, and of the said William Wilson, and William Salmon, and of divers other inhabitants of the said Town of Simcoe, and by the assent and approval of the said Honorable and Right Reverend John Lord Bishop of Toronto, that it would be greatly for the advantage of the said Town and of the said Church, that the said Trustees should, subject to the provisions hereinafter mentioned, be empowered to sell and convey the said parcel or tract of land or any part thereof, either to the persons who have so settled and built thereon, or to such other parties as they may agree with for that purpose, and that the proceeds of any such sale should be appropriated, as hereinafter mentioned, for the use of the said Church: Be it therefore enacted by the Queen's Most Excellent Majesty,

Preamble.

Recital of Letters Patent, dated 25th November, 1844.

Recital of Petitions, &c.

The Trustees or the majority of them may lease or sell the lot of land mentioned in the said Letters Patent, with the assent of the Bishop, Rector and Church-wardens.

Proviso: the proceeds to be applied for purchasing land for and building a Church in the said Town of Simcoe, to be held in trust for the purposes mentioned in the said Letters Patent.

Purchaser not bound to see to the application of the consideration.

Proviso: that the Church may be built upon that or any other portion of land.

Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, and intituled, *An Act to Re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, That the Trustees in the said Letters Patent mentioned, or those who under the provisions thereof, may become Trustees in their stead or any majority of such Trustees, with the assent in writing under hand and seal of the said Honorable and Right Reverend John Lord Bishop of Toronto, and of the said Reverend Francis Evans, Rector of Woodhouse, or their respective successors in their said offices of Bishop and Rector, and with the like assent in writing under hand and seal of the Church-wardens for the time being, (if any there be,) of the Church or Congregation for whose benefit the said land was granted as aforesaid, shall have full power and authority to lease for any term or terms of years, or to sell, grant and convey to any party willing to purchase the same, the fee simple of the said parcel or tract of land, or of any portion or portions thereof, for such sum or consideration and on such conditions as they shall deem it advisable to accept; any thing in the said Letters Patent, or any Act or Law to the contrary notwithstanding: Provided always, that all sums of money received by the said Trustees under the authority of this Act, shall be applied in the purchase of other land and the erection of a Church for the accommodation of the said Congregation, and for the maintenance of public worship therein, which last mentioned Land and Church shall be held by them in trust for the purposes set forth in the Letters Patent aforesaid, and for the use of a Church of the United Church of England and Ireland in the said Town of Simcoe, as therein provided: And provided always, also that the receipt for the purchase money, to be contained in any such conveyance, shall be an absolute discharge to the purchaser or purchasers for the same, who shall be in no way bound to see to the application, mis-application or non-application of the same, or any part thereof: And provided also, that the said Church may be built either upon land purchased out of the proceeds of any such sales or upon any portion of the land in the said Letters Patent mentioned and described, as the said Trustees shall deem most expedient.

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Law Printer to the Queen's Most Excellent Majesty.