

Laws of Her Majesty's Province of United Canada, passed in the year 1847. Montreal:
Stewart Derbishire & George Desbarats, 1847.

10 & 11 Victoria – Chapter 106

An Act to enable the Trustees of the Calvinistic Baptist Church in the Town of Perth, to sell and convey certain portions of the Land now holden by them. 28th July, 1847.

Whereas on the sixth day of May, in the year of Our Lord, one thousand eight hundred and forty-four, in pursuance of an agreement theretofore made, a Deed of Bargain and Sale was made and duly executed by James Boulton, of the Town of Niagara, in the Province of Canada, Esquire, whereby he conveyed and confirmed unto certain persons as the Trustees of the Calvinistic Baptist Congregation of the Town of Perth, and their successors in office but without the power of alienation, a certain parcel or tract of land, situate, lying and being in the Township of Drummond, in the County of Lanark, in the District of Bathurst, containing about one acre and three quarters of land, and being composed of a part of Park Lot Number One, in the south-west half of Lot Number Two, in the second Concession of the said Township of Drummond: And whereas previous to the said date of the confirmation of the title to the said Trustees by the said James Boulton, he the said James Boulton, had agreed to sell a certain piece of the said land to Murdoch McDonnell, of the Town of Perth, Merchant, and which said piece of land so sold to the said Murdoch McDonnell is embraced within the boundaries and limits of the land conveyed as aforesaid to the said Trustees; and it was understood and agreed between the said James Boulton and the said Trustees, that they should thereafter convey the said piece of land to the said Murdoch McDonnell, according to the agreement aforesaid between him and the said James Boulton; and whereas also the said Trustees, acting under the belief that they possessed the power to sell and dispose of any part of the said piece of land included in the deed of bargain and sale made by the said James Boulton to them, and not necessary for the uses of the Congregation of the said Church, did sell and dispose of a part thereof to the Congregation in Perth in connection with the Presbyterian Church in Canada: And whereas in consequence of an error or oversight, and contrary to the intentions either of the grantor or the grantees, the said Deed of Bargain and Sale made by the said James Boulton to the said Trustees contains or confers no powers or right to them to grant, bargain, sell, alien, transfer, convey or confirm any portion of the said parcel or piece of land, (contrary to the express stipulation made and agreed to by and between the said parties at the time of making the purchase thereof,) and therefore the successors in office of the said Trustees are unable to execute valid deeds to the said Murdoch McDonnell, and to the Congregation in Perth in connection with the Presbyterian Church in Canada, for their respective portions of the said piece of land: And whereas the Trustees for the time being of the said Calvinistic Baptist Church in Perth, have by their petition, after setting forth the peculiar circumstances in which they are placed by reason of the omission made in the said deed, prayed to be relieved from their disability to do justice to the parties, and to be empowered to execute conveyances of the said portions of land, and it is expedient and reasonable to grant their request; For remedy thereof, Be it therefore enacted by the Queen's Most Excellent 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 it shall and may be lawful for any body of the successors in office of the Trustees in the said Deed of Bargain and Sale mentioned, or a majority of any body of such successors, at any time hereafter, to sell, grant and convey to the said Murdoch McDonnell, the fee simple of the piece of land aforesaid which the said James Boulton agreed to sell to him as aforesaid, and which is embraced within the boundaries described in the deed now held by them, for a consideration to be named by him, — and also to grant, bargain, sell and convey to the Congregation in Perth, in connection with the Presbyterian Church in Canada, or to Trustees or other persons appointed by such Congregation, the portion of the piece of land heretofore agreed to be purchased by them, for such a price or sum as was between the said parties originally agreed on, anything in the said Deed of Bargain and Sale made and executed by the said James Boulton to the said Trustees of the Calvinistic Baptist Church in Perth, or in any Act or Law to the contrary notwithstanding.