

Laws of Her Majesty's Province of United Canada, passed in the year 1854. Quebec: Stewart Derbyshire and George Desbarts, 1854.

18 Victoria – Chapter 27

An Act to enable the Board of School Trustees of the Town of Chatham, to dispose advantageously of a lot of land appropriated for School purposes in that Town. Assented to 18th December, 1854.

Whereas by Letters Patent, bearing date the sixteenth of October, one thousand eight hundred and forty-nine, a certain parcel or tract of land situate in the Town of Chatham, in the County of Kent, containing by admeasurement twelve acres more or less, and bounded as described in the said Letters Patent, was granted to the Municipal Council of the Western District, their successors and assigns for ever, in trust for the use and benefit of the School District in which the Town of Chatham is situate; And whereas the existence of the said tract of land as vacant ground, impedes the improvement and progress of the said Town, and there is no authority by which the same can be properly divided and laid out and either sold or let upon leases of sufficient duration to warrant the lessees in improving the same, and the said tract is therefore at the same time a public inconvenience, and produces little revenue to be applied to the purposes of education for which it was granted; And whereas the Board of School Trustees for the said Town have prayed the intervention of the Legislature in the premises: 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, as follows:

- I. The parcel or tract of land mentioned in the Preamble of this Act and in the Letters Patent therein referred to, shall be and is hereby transferred to and vested in the Corporation of the Board of School Trustees of the Municipality of the said Town of Chatham, their successors and assigns for ever, and the said Corporation shall have full power to receive and recover from any person or party whomsoever, all moneys due for or arising or having arisen from any lease heretofore made of the said land or any part thereof: and the said land and any such moneys as aforesaid shall be held by the said Corporation for School purposes.
- II. The said Corporation shall have full power to survey, lay out and dispose of the said land or any part thereof in such manner as they shall deem most advantageous for the purpose for which the same is hereby vested in them, or to lease the same or any part thereof for any term or terms of years, and for such price and upon such conditions as they shall think best, and to execute such conveyances or leases thereof as may be requisite under their Corporate Seal: and to receive the purchase money or rent, and to grant valid discharges therefor to the purchasers or lessees, who shall not be in any wise bound to see to the application of such purchase money or rent: Provided always, that no sale nor any lease for more than three years, of any part of the said land, shall be made by the said Corporation until a survey and plan of the disposal of the said land shall have

been approved by the Municipal Council of the said Town of Chatham, to which plan when so approved, the said Corporation of School Trustees shall conform in all respects, nor shall any sale or any lease for more than three years be validly made of any part of the said land without the approval of the said Municipal Council expressed in the deed, and testified by the signature of the Reeve or Mayor of the said Town and the Corporate Seal of the Municipality to the deed of conveyance or lease; but the said Municipality may pass any By-law fixing the terms and conditions upon which the said Corporation of Trustees may make any such sales or leases, and provided any proposed sale or lease be in accordance with such By-law, the Reeve or Mayor may sign the same, and affix the seal of the Municipality thereto, and it shall be valid as if expressly and specially approved by the said Municipal Council.

III. All the moneys arising in any way from the said land or any sale or lease of any part thereof, shall be applied by the said Corporation of School Trustees to the maintenance of Common Schools, the building and repairing of School-houses and other purposes for which School moneys may be lawfully applied by them, (including the purchase of the other lands for school sites if required) and to no other use or purpose whatsoever, except the payment of the necessary expenses of surveying and managing the said land, and disposing of the same, and collecting the moneys arising therefrom.

IV. Provided always, That the said Corporation of School Trustees may appropriate any part of the said land as a site or sites for a School-house or School-houses, and the same shall then be dealt with as other School sites, under the laws in that behalf.

V. This Act shall be deemed a Public Act.