

part thereof, or any of the warps, ropes, or fixings thereof, such person or persons so offending shall, upon conviction thereof before any two Justices of the Peace for the County of Northumberland, forfeit and pay a sum not exceeding ten pounds, with costs of prosecution, and when collected to be paid and form a part of the funds of the said Corporation, and any stockholder in the said Company is hereby declared a competent witness against such offender or offenders.

12. Stockholders of the said Company shall be chargeable in their private and individual capacity, and shall be holden for the payment of all debts at any time due from the said Corporation, or damages sustained by the default or neglect of the said Corporation, or their agents or servants, in proportion to the stock they respectively hold; provided however, that in no case shall any stockholder be liable to pay a sum exceeding the amount of stock actually then held by such stockholder in addition to the stock then held by such stockholder; provided nevertheless, that nothing herein contained shall be construed to exempt the joint stock of the said Corporation from being also liable for and chargeable with the debts and engagements of the same.

13. Unless a good and sufficient Boom or Booms for the purposes of this Act be erected within two years after the passing of this Act, and a certificate thereof under the hand of the agent or principal officer of the said Corporation, attested to by such agent or principal officer before one of Her Majesty's Justices of the Peace for the said County, which oath such Justice of the Peace is hereby authorized to administer, shall be filed in the Office of the Secretary of the Province, then the corporate powers hereby granted shall be deemed null and void.

14. Nothing in this Act shall authorize and empower the said Corporation, or any of their agents or servants, to enter into or upon any lands or tenements of any person whomsoever, unless the consent of the owner or owners be first obtained.

15. This Act shall continue and be in force for ten years and no longer.

## CAP. XI.

An Act to carry into effect an agreement between the Bishop of Fredericton and the Rector, Church Wardens and Vestry of Christ Church, in the Parish of Fredericton, relative to the Parish Church.

Preamble describes premises and recites agreement for exchange.

### Section.

1. Bishop empowered to convey.
2. On conveyance, Saint Anne's Chapel to become Parish Church.
3. Chapel to be then called Christ Church.
4. Sittings to be free; exception.
5. Church Wardens and Vestrymen, qualifications of, and of electors.

### Section.

6. Church Corporation empowered to convey premises to the Bishop.
7. Re-entry to remove present Church.
8. On neglect, the Bishop may remove.
9. Remains of Lieutenant Governor Smyth to be cared for.
10. Certificate to be endorsed on conveyance.
11. Compensation to certain pewholders.

Passed 20th March 1854.

' WHEREAS the Right Reverend John Medley, Doctor of Divinity, Bishop of the Diocese of Fredericton, is seized in fee simple to himself and his successors for ever, of a lot of land in the City of Fredericton, described as lot number three hundred and ninety three, which was conveyed to him by John Simcoe Saunders, Esquire, for the purpose of erecting and keeping erected thereon a Church or Chapel in connexion with the Established Church of England, and the said Bishop has built a Chapel on the said lot, which has been duly consecrated by the name of "Saint Anne:" And whereas the said Bishop

' has offered to convey the said Chapel and the lot of land on which the same stands, to the Rector, Church Wardens and Vestry of Christ Church, in the Parish of Fredericton, and their successors for ever, for a Parish Church, in the place of the present Parish Church, and such offer has been accepted by the said Rector, Church Wardens and Vestry, and by the principal part of the Parishioners belonging to the said Church, upon condition that the sittings in the said Chapel should remain free and unappropriated for ever, and all upon condition, and as a consideration for such conveyance, that the said Rector, Church Wardens and Vestry should be authorized to convey to the said Bishop and his successors for ever, the lot of land in the said City of Fredericton on which the present Parish Church is built, reserving to the said Rector, Church Wardens and Vestry, and their successors, the right to enter upon the said land at any time within six months after the conveyance thereof, and to remove therefrom the said Church and appurtenances, and dispose of the same as they may think proper; which conditions have been agreed to by the said Bishop, and by the said John Simcoe Saunders, the donor of the land on which the said Chapel stands;'

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

1. It shall be lawful for the Bishop of Fredericton for the time being, to convey to the Rector, Church Wardens and Vestry of Christ Church, in the Parish of Fredericton, and their successors for ever, in fee simple, the said Chapel called "Saint Anne," and the lot of land on which the same stands; and the deed of conveyance thereof, being duly acknowledged and registered, shall vest in the said Rector, Church Wardens and Vestry, and their successors, the absolute estate in fee simple in the said land and Chapel.

2. From and immediately after the execution of the said deed of conveyance by the said Bishop, the present Church in the City of Fredericton called Christ Church, shall cease to be the Parish Church of Fredericton, and in place thereof the said Chapel called "Saint Anne," shall be the Parish Church of Fredericton; and the said Rector, Church Wardens and Vestry, and their successors, shall have therein all the estate, right and interest (except the right to sell or dispose of the seats therein) which is by law vested in Church Corporations in Parish Churches in this Province.

3. The said Chapel shall immediately after the conveyance thereof to the said Rector, Church Wardens and Vestry, be called and known by the name of "Christ Church," any thing in the deed of consecration thereof to the contrary notwithstanding.

4. The sittings in the said Chapel shall remain free and unappropriated for ever; provided always, that a Pew or Seat shall be set apart in the said Church for the occupation of the Queen's Representative in this Province.

5. All persons who by law would have been entitled to vote for, or fill the office of Church Warden or Vestryman for said Parish before this Act comes into operation, shall be deemed to be qualified to vote for or fill such offices at the first election held after this Act comes into operation.

6. It shall be lawful for the said Rector, Church Wardens and Vestry of Christ Church for the time being, to convey to the said Bishop and his successors for ever, in fee simple, the lot of land in the said City of Fredericton, granted to the said