



BY AUTHORITY.

ANNO TRICESIMO VICTORIÆ REGINÆ.

CAP. IX.

An Act to incorporate "The Governors of the Wiggins Male Orphan Institution."

Preamble recites bequest for founding Institution.

Section

- 1 Incorporates "The Governors of the Wiggins Male Orphan Institution."
- 2 Vests property in Corporation.
- 3 Provides for supplying vacancies.

Section

- 4 Gives power to purchase lands.
- 5 Appointment of Officers, &c.
- 6 Power to make rules and regulations.

Passed 10th June 1867.

WHEREAS Stephen Wiggins, late of the City of Saint John, in the Province of New Brunswick, Merchant, did, on the fourteenth day of April A. D. 1863, make and publish his last Will and Testament in writing, whereby *inter alia* he did devise and bequeath in the words, or to the effect following, that is to say:—"And whereas I am desirous of founding and endowing an Institution in the City of Saint John for the benefit of destitute male orphan and destitute male fatherless children, born and to be born in the City and County of Saint John: Now I give and devise to the Reverend William Scovil, Charles Merritt, and Frederick A. Wiggins, and the survivors and survivor of them, and his heirs, their and his assigns, all those lots of land owned by me, situate near the Marine Hospital in the City of Saint John, known on the Plan of the said City on file in the Office of the Common Clerk of the said City, as lots eleven hundred and seventy two, (1172,) eleven hundred and seventy three, (1173,) eleven hundred and seventy four, (1174) eleven hundred and seventy seven, (1177), eleven hundred and seventy eight, (1178,) eleven hundred and seventy nine, (1179,) and eleven hundred and eighty, (1180,) also the lands fronting on Stormont street, conveyed to me by the executors of W. H. Smith by two Deeds, each dated the seventh day of December, in the year of our Lord one thousand eight hundred and thirty six; and I will and direct that the said Reverend William Scovil, Charles Merritt, and Frederick A. Wiggins, and the survivors and survivor of them, his heirs, executors and administrators respectively, their and his assigns, shall stand seized of the said several lots of land and possessed of all such property and moneys devised and bequeathed by this my Will for the purposes of the said Institution, upon the trust hereinafter declared, of and concerning the same, that is to say: In trust to invest and keep invested all such moneys as may come to their hands from any bequest made by me for the purposes of the said Institution, adding interest to principal until there shall be a capital or fund of twenty five thousand pounds; and when the funds held by them for the purposes of the said Institution shall amount to that sum, exclusive of the said lots of land devised for the said Institution, they, my said Trustees, shall nominate so many persons willing to act, as, with my said Trustees, or such of them as may be willing to act, will make nine persons as Governors of the said Institution, and thereupon all the property held by my said Trustees for the purposes of the said Institution, shall be

conveyed, assigned, and transferred, so as to vest the same in the Governors so to be appointed, and in the Governors for the time being of the said Institution, upon trust for the purposes, objects and benefits of the said Institution; and after the said number of nine Governors shall be so filled up, any vacancies occurring by death, resignation, or removal of residence from the said Province, shall be filled up by a majority of the votes of the remaining Governors for the time being; And I direct that no person shall be elected or appointed, or be eligible to election or appointment as Governor of the said Institution, unless he professes a belief in the Christian Religion; and no Roman Catholic, Unitarian, or Universalist, shall be elected or eligible to be elected or appointed as Governor of the said Institution; And I declare that a sum not exceeding five thousand pounds, of the capital funds of the said Institution, shall be applied in erection of a suitable building for the said Institution as hereinafter mentioned, and the residue of the said capital fund, namely, not less than twenty thousand pounds, shall be kept and continued invested on good security, and the dividends and income thereof applied annually for the objects and purposes of the said Institution, which I declare to be as follows:—To feed, clothe and educate as many destitute male orphan children and destitute male fatherless children born or to be born in the City and County of Saint John, as the annual income of the said capital funds will admit, preference being in all cases given to the destitute male orphans and destitute male fatherless children of Mariners; the children to be admitted into the said Institution not to be under the age of four years nor over the age of ten years at the time of such admission, and not to be continued in the said Institution after attaining the age of fifteen years; a majority of the Governors of the said Institution for the time being to determine who are eligible and who may be received into the said Institution and receive the benefits thereof; and I declare that the Governors for the time being of the said Institution may, by a majority of votes, make, alter, revoke and reverse such rules and regulations for the governance and management of the said Institution, as they may see fit; and that all such teachers and other persons as may be necessary to carry out the objects of the said Institution, shall be appointed by and subject to removal by a majority of the said Governors for the time being, and who shall determine the compensation to be paid to the same; provided that no person shall be eligible to or be appointed to fill the office of teacher in the said Institution if he be a Roman Catholic, Unitarian, or Universalist, nor unless he profess the doctrines of the Christian Religion, excluding the above parties; and I further declare, that all such children as shall be admitted into the said Institution shall be subject to expulsion by vote of a majority of the Governors for the time being; and I further will and direct, that the children admitted into the said Institution be taught Christian Protestant principles, and that when they leave the said Institution, it is my will that they be placed in such trades or callings as may be best adapted to their capacities and inclinations; and it is my will that the Governors of the said Institution shall, by and out of the sum directed by me to be expended for that purpose, cause to be erected on the said lots of land so devised by me for the said Institution, or on some convenient part thereof, a building adapted and suitable to and to be used