

Street one hundred and twelve feet, thence westerly at right angles with the last mentioned line one hundred and twenty five feet to land formerly belonging to James White, thence southerly along the said James White's line one hundred and ninety feet to Charles Street, and from thence easterly along the north side of Charles Street one hundred and fifty feet to the place of beginning: And I will and direct that the said Thomas Gilbert, William Scovil, and John M. Robinson, and the survivors and survivor of them, and his heirs, executors or administrators respectively, their or his assigns, and the Trustees for the time being of the said Trust Estate, shall stand seized and possessed of the land devised last aforesaid, and of the rents, income and profits thereof, in trust, by and out of the rent, income, and profits, to give to such poor respectable unmarried women, who may respectively be over the age of fifty years, and residents in the City of Saint John or Parish of Portland aforesaid, as the said Trustees may deem worthy objects of charity, a sum to each of not exceeding ten pounds in any one year; and did make certain provisions for the management, control and disposition of the said trust property; and whereas the said Ann Simonds has departed this life, and the said Will has been duly proved; and whereas the said Thomas Gilbert and the said William Scovil, the present Trustees acting in the execution of the foregoing trust, are desirous of being discharged from the same, and of assigning and transferring the same to "The Rector, Church Wardens and Vestry of Saint Paul's Church, in the Parish of Saint Paul;" and whereas it is among other things provided in and by the said will, that if the said Trustees shall desire to be discharged from the trusts of the said Will, it shall be competent for them to appoint others in their stead, and to assign, transfer and convey the said trust estate to such new Trustees; and whereas the said "The Rector, Church Wardens and Vestry of Saint Paul's Church, in the Parish of Saint Paul," are willing to accept such transfer, and to take upon themselves the execution of the said trust, but doubts are entertained whether in their corporate capacity they are capable of taking, holding or administering any property or trust not expressed to be for the use of the said Church, or for the use and benefit of the Rector thereof; and whereas it is desirable that the said Rector, Church Wardens and Vestry should be fully authorized and empowered to accept the said trust, and to carry out the charitable intentions of the testatrix above mentioned, and also to receive and hold the real estate so devised in trust as aforesaid, and to administer the said trust in and by the said Will created, or intended so to be; and should also be empowered to receive and hold any other gifts or bequests that may from time to time be made to them for charitable and pious uses;—

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

1. That the Rector, Church Wardens and Vestry of Saint Paul's Church, in the Parish of Saint Paul, in the County of Saint John, and their successors, are hereby authorized and empowered to receive and take from the Executors and Trustees of the said Miss Ann Simonds, a conveyance, assignment or transfer of all and singular the real estate so bequeathed and devised by her as above recited, and of the rents and profits thereof, and of the said trust fund and the accumulations thereof; and after deducting therefrom the costs, charges and expenses of and incidental to such conveyance or transfer, the same to have, hold, stand seized of, and administer in like manner, and to and for the uses and purposes, and upon the trusts and subject to the provisions, stipulations and conditions in the said in part recited Will contained; and upon such transfer being completed, the said Trustees above named shall be released and discharged of and from any further liability respecting the said trust property.

2. And the said Rector, Church Wardens and Vestry are hereby likewise authorized and empowered to receive, take, have, hold and administer all and singular any other real or

personal estate which may hereafter be given or devised to them for charitable and pious uses, upon the trusts and for the uses and purposes for which such real or personal estate may be given, granted or devised to the said Rector, Church Wardens and Vestry, with full power to lease, sell, assign, transfer and convey any such real or personal estate which may be so held by them as Trustees, in accordance with the true spirit and meaning of the deed, will, or other conveyance or document by which the same may be given or granted to them, and not contrary thereto.

CAP. LXXIV.

An Act to amend the Act incorporating the Saint John Academy of Music Company.

Sec.

- 1 Capital stock may be increased.
- 2 Additional stock, how regulated.

Sec.

- 3 Liability of shareholder for calls; calls, how collected.

Passed 17th May 1871.

WHEREAS it is expedient to amend the Act made and passed in the thirty third year of the Reign of Her present Majesty, intituled *An Act to incorporate the Saint John Academy of Music Company*, to increase the capital stock, and to enlarge the powers of the said Company;—

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

1. The stockholders of the said Corporation shall be and they are hereby empowered and authorized, from time to time hereafter, at any general meeting to be for that purpose called and holden, to increase the capital stock of the said Company from twenty thousand dollars to an amount not exceeding in the whole the sum of thirty thousand dollars, which additional stock shall be divided into shares of twenty dollars each, which shall be disposed of subject to the rules and regulations of the said Company.

2. All and every of the additional shares in the capital stock of the said Company, created under and by virtue of the provisions of this Act, and the holders thereof, shall at all times be subject to the rules and regulations and provisions of the Act incorporating the said Company, and the law of this Province.

3. Each and every shareholder in said Corporation shall be liable to said Corporation for each and every call or assessment made, not however to exceed in amount the stock subscribed by him, for the purpose of enabling said Company to pay the debts and engagements of said Corporation, for the purposes of or to carry on the operations for which the said Company is incorporated; which call or assessment may be sued for by the said Corporation and recovered in any Court of Record within the Province.

CAP. LXXV.

An Act to vest in the "Roman Catholic Bishop of Saint John," in trust, certain lands and other property by the last Will and Testament of Catherine Moran devised to the Roman Catholic Poor and Roman Catholic Orphan Asylum.

Sec.

- 1 Property to be vested in Bishop.
- 2 Sales to be by public auction.

Sec.

- 3 Conveyances to be under hand and official seal of Bishop.

Passed 17th May 1871.

WHEREAS Catherine Moran, late of the City of Saint John, in the City and County of Saint John, made her last Will and Testament, bearing date the fifth day of November, A. D. 1865, and there is contained therein, *inter alia*, a devise in the words following—"I bequeath all my property, real and personal, consisting of house, furniture, money, and all other effects, to the Roman Catholic Poor and the Roman Catholic Orphan Asylum of the City of Saint John, to be divided between them share and share alike," and appointed John V. Thurgar, and Boyle Travers, Esquires, Executors of said Will: And whereas the said Catherine Moran died, leaving no heirs or relatives known in this Province, and