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No. 230.

2nd Session, 6th Parliament, 22 Victoria, 1859.

BILL.

An Act to vest the title to certain lands
in the Joint Board of Grammar and
Common School Trustees of School
Section Number One, in the Township
of Ernestown.

As passed by the Legislative Council.

[Printed by Order of Legislative
Assembly.]

S. Derbishire & G. Desjarats, Queen's Printer.

BILL.

[As passed by the Legislative Council.]

An Act to vest the title to certain lands in the Joint Board of Grammar and Common School Trustees of School Section Number One, in the Township of Ernestown.

WHEREAS by Letters Patent of His late Majesty King George the Fourth, under the Great Seal of Upper Canada, bearing date on the first day of August, in the first year of the Reign of his said late Majesty, certain lands, consisting of lot number thirty-one, with its broken front, in the first Concession of the Township of Ernestown, in the County of Ad-dington, in Upper Canada, containing three hundred acres of land, were granted unto John Stoughton, Episcopal Missionary, Colin McKenzie, Esquire, and Sheldon Hawley, Esquire, Church-wardens of St. John's Church, in the Town of Bath, in said Township of Ernestown, to have and to hold the same lands and tenements to them, their heirs and assigns for ever upon the uses and trusts thereafter contained concerning the same, that is to say, upon trust to hold the said lands and tenements for the maintenance and support of a public School to be established in and for the Town of Bath; which said patent contains a proviso for the appointment of new trustees from time to time in case that any of the said trustees should die, or be unwilling or unable to discharge their duties in respect of the said trust, and for the forfeiture of the said patent for non-performance of the trusts, conditions, limitations and provisions therein contained; And whereas the said trustees executed the said trust during their lifetime by employing the moneys arising from the said lands in the maintenance and support of a Public School in the said Town of Bath, until the Common School in School Section Number One, in the said Township of Ernestown, was established in the said Town of Bath, after which time the issues and profits of said lands were paid over to the Common School Trustees of said School Section; And whereas, two of the Trustees mentioned in the said patent, namely, John Stoughton and Sheldon Hawley, died, leaving the said third Trustee, Colin McKenzie, them surviving; and the said Colin McKenzie afterwards died in the year one thousand eight hundred and fifty-one, leaving no sons and four daughters him surviving, namely, Mary, the wife of Orton Hancox, Sarah, widow of George McKenzie, Lucretia McKenzie, Spinster, and Caroline, wife of Robert Stewart, all of whom are now alive; And

whereas no new trustees were ever appointed under the provisions of said patent, and it is desirable that the disposition heretofore made of such trust moneys should be declared to be lawful, and that the title in the said lands should be vested in the Joint Board of Grammar and Common School Trustees of School Section Number One, in the Township of Ernestown : Therefore, Her Majesty, by and with the advice and consent of the Legislative Council and Assembly of Canada, enacts as follows :

1. The Lands above mentioned, which are butted and bounded as the same are described in the said letters patent, shall be, and the same are hereby granted to and vested in the Joint Board of Grammar and Common School Trustees, of School Section Number One, in the Township of Ernestown aforesaid, and their successors and assigns for ever, in trust to hold the same, to and for the maintenance and support of one or more Common Schools in the said School Section Number One, in the Township of Ernestown.

2. The said patent is hereby declared to be in force, and not forfeited up to the time of the passing of this Act.

3. The disposition of the funds arising from the said lands, heretofore made, is hereby declared to be lawful.