

A. D. 1839.

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C. 15, 16.

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CAP. XV.

*Repealed by 13 recs 57*

An Act to erect the Eastern part of the Parish of Portland, in the County of Saint John, into a separate and distinct Town or Parish.

Passed 23d March 1839.

**W**HEREAS great inconvenience is found to exist in consequence of the 'extended bounds and increased population of the Parish of Portland: 'And whereas it is expedient to erect a separate Parish in the same; Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That all that part of the said Parish lying to the eastward of a line running due south from the head of Portage Cove, so called, until it meets the northwest branch of the Marsh Creek, thence following the centre of the said Creek, until it comes opposite Black Point, thence at right angles easterly, until it meets the eastern line of the Marsh road, so called, thence southerly, following the eastern line of the said Marsh road and of the road which passes along the front of Walker Tisdale's Stone Cottage and a prolongation of the said last mentioned line, until it strikes the Creek running through the Flats, thence following the said Creek to low water mark, be and the same is hereby erected into a separate and distinct Town or Parish, to be known and distinguished by the name of the Town or Parish of *Simonds*. Parish of Simonds erected from part of Portland.

II. And be it further enacted, That the Justices of the Peace for the said County, shall and may have power to appoint annually from time to time, Officers for the said Town or Parish of *Simonds*, in the same manner as for other Towns or Parishes within the said County, and also that the said Justices may, at any Special Session, for that purpose to be holden, have power and authority to appoint such Officers for the present year, which Officers shall be sworn to the faithful discharge of their duties respectively, and be liable to the like penalties for neglect or refusal to accept or perform the duties of their respective offices, as any Town or Parish Officers within the said County. Parish Officers to be appointed.

CAP. XVI.

An Act to authorise the President and Directors of the Public Grammar School in the City of Saint John, to grant Leases with Covenants for renewal.

Passed 23d March 1839.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the President and Directors of the Public Grammar School in the City of Saint John, and their successors, shall be and they are hereby fully authorized and empowered to make and grant any Lease or Leases of any Land now belonging, or which may hereafter belong to them, in the said City, or any part or parts thereof, for such term or terms of years, and with such covenants for renewing the same at the expiration of the term and granting a further Lease or Leases thereof to the lessees or their assigns, and with such other covenants, conditions and provisos, as to them may appear expedient and for the advantage of the said Corporation; and that every such Lease so to be made and granted by the said President and Directors with covenants for renewal therein inserted, shall be good, valid and effectual in the law, and binding on the said Corporation, their successors and assigns. Saint John Grammar School Corporation authorized to grant leases of their lands with covenants for renewal.

II. Provided always and be it further enacted, That in every such Lease so to be made and granted by the said President and Directors, or their successors, a fair A fair adequate yearly rent payable half-yearly, to be reserved.

fair adequate yearly rent shall be reserved payable by half yearly payments to the said President and Directors and their successors during the continuance of the original term for which such may be granted, and any renewal or extension thereof.

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CAP. XVII.

An Act to authorize the Justices of the Peace in and for the City and County of Saint John to make compensation to the Assessors of Taxes for the City of Saint John for the year one thousand eight hundred and thirty eight.

*Passed 23d March 1839.*

Preamble.

1 Vict., c. 7.

**W**HEREAS by the fourth section of an Act made and passed in the first year of the Reign of our Sovereign Lady the Queen, intituled "An Act to provide for the better Assessment of County and Parish Rates," it is among other things provided, that the Assessors of Rates for the several Towns and Parishes shall within sixty days after receiving the Warrant of Assessment, deliver to the Collectors of Rates within their respective Towns and Parishes, a list containing the names of all the parties rated within their several districts with the several amounts to be collected from every such person; and by the fifth section of an Act made and passed in the seventh year of the Reign of His late Majesty, intituled "An Act to provide for the collection of County and Parish Rates," it is provided, that no Assessors shall be allowed a per centage unless the provisions of the said Act shall have been fully complied with: And whereas during the past year the labours to be performed by the Assessors of Taxes in the City of Saint John were so great as to prevent a strict compliance with the requisites of the said Act, and the Assessors have thereby become deprived of any legal right to remuneration for the arduous duties performed by them; for remedy whereof,

Justices in Sessions authorized to compensate the Assessors of Taxes for the past year.

Not to exceed five per cent. on amount ordered to be assessed.

Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful to and for the Justices of the Peace, in and for the City and County of Saint John, in General Sessions assembled, to make an order for the payment of due compensation to the Assessors of Taxes in the said City for the past year, out of the monies levied, raised and collected for that purpose, in the same manner as if the said Assessors had in every respect strictly complied with the provisions of the said Acts; provided that no greater rate per cent. on the amount ordered to be assessed shall be allowed them than is provided for in the said Acts.

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CAP. XVIII.

An Act to incorporate the Saint John Mechanics' Institute.

*Passed 23d March 1839.*

Saint John Mechanics' Institute incorporated with privileges incident to Corporations by Act of Assembly.

**B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That there shall be established and located in the City of Saint John, an Association by the name of the Mechanics' Institute of Saint John, for the purpose of instructing Mechanics and others in popular and useful science, and that Beverly Robinson, John Duncan, George D. Robinson, M. H. Perley, John G. Sharp, William Jack, Alexander Lawrence, and such other persons as are or may become members of the said Institute, shall be and they are hereby constituted a body corporate for that and no other purpose, by the name aforesaid, with all