

IV. And be it enacted, That all and every grant and conveyance whatsoever heretofore made or hereafter to be made by the said Mayor, Aldermen and Commonalty of the City of Saint John, of the said Burial Ground, or any part or portion thereof, is and shall be ipso facto void; and that the same and every part and portion thereof shall not be liable to be levied upon or taken in execution for the debts of the said Mayor, Aldermen and Commonalty of the City of Saint John, or any person whatever, but shall be altogether free from seizure at the suit of any person or persons whatsoever, and that the area of the same shall be and forever remain open and unoccupied, and unappropriated to any use or uses, public or private; and that all buildings, houses and erections of any nature or kind soever that shall be erected, placed or found in the said Burial Ground contrary hereto, shall be held, taken, decreed and adjudged to be public and common nuisances, and be treated as such accordingly; provided that nothing herein contained shall prevent the maintaining and keeping by the said Mayor, Aldermen and Commonalty, of a good and sufficient enclosure round the said ground, with proper gates and conveniences to admit the passage into the said ground of all persons under such regulations as to the said Mayor, Aldermen and Commonalty may seem meet, or to prevent the ornamenting, planting or otherwise improving the said Burial Ground.

Conveyances heretofore made of the Burial Ground declared void, and the premises freed from liability to seizure.

Area to remain open.

Buildings thereon declared nuisances.

Not to prevent fencing and ornamenting.

V. And be it enacted, That on application to be made to the Commissioners of the Alms House for the City and County of Saint John, for the interment of the corpse of any pauper, it shall be the duty of the said Commissioners, and they are hereby required to provide a proper conveyance and other things needful for the decent interment of such corpse in the ground attached to the Alms House of the said City and County, or elsewhere, in some proper and convenient place, at their discretion, the expense of any such interment to be borne and defrayed in like manner as any charge for the maintenance of the poor of the said City and County.

Commissioners of the Alms House to provide for the interment of paupers, on application.

CAP. XXXIII.

An Act to authorize the Justices of the Peace for the City and County of Saint John to raise a sum of money for making certain alterations in and additions to the Common Gaol of the said City and County.

Passed 30th March 1848.

WHEREAS in order to the preservation of the health and comfort of the inmates of the Common Gaol of the City and County of Saint John, it is found necessary to make certain additions to and alterations in the said building;

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the said Justices of the Peace for the said City and County of Saint John, at any General Sessions of the Peace hereafter to be holden, or the major part of them so assembled, be and are hereby authorized and empowered by themselves, or one or more Committees of Management for that purpose to be appointed, to contract and agree with able and sufficient workmen for erecting, placing and finishing in or connected with the said Common Gaol, suitable and necessary privies or water closets for the comfort and accommodation of the inmates of the said Common Gaol.

Contracts for water closets, &c. in connexion with the Gaol, may be made.

II. And be it enacted, That the said Justices, at any General Sessions of the Peace for the said City and County, be and are hereby authorized to borrow such sums as may be necessary for the purpose aforesaid, not exceeding the sum of five hundred pounds, the same to be taken in loans of not less than fifty

Money not exceeding £500, may be borrowed.

fifty pounds, and that Certificates or Notes in the following form, or to that effect, shall be prepared and delivered to the persons from whom such loans may be obtained, to wit:—

Form of
Certificate.

‘ Number —

‘ City and County of Saint John, ss.

‘ These are to certify, that [*here insert residence and addition of lender*] hath
‘ lent and advanced to the Justices of the Peace for the said City and County,
‘ the sum of — pounds currency, which sum is payable to him or his order,
‘ together with interest, at and after the rate of — per centum per annum,
‘ pursuant to an Act of Assembly made and passed in the eleventh year of the
‘ Reign of Her Majesty Queen Victoria, intituled *An Act to authorize the Justices
‘ of the Peace in and for the City and County of Saint John to raise a further sum
‘ of money for making certain alterations and additions to the Common Gaol of the
‘ said City and County.* Dated the — day of — in the year of our Lord one
‘ thousand eight hundred and forty —.

‘ By order of the Sessions.

‘ A. B., Presiding Justice.’

Which same certificates or notes shall be signed by the Justice presiding at the said Sessions, and counter signed by the Clerk, and shall be respectively numbered according to the time in which the same may be made and issued, and a memorandum thereof shall be duly entered by the Clerk in the Minutes.

Certificates to bear
interest.

III. And be it enacted, That the said certificates and notes shall be negotiable in the same manner as promissory notes, and that the holders thereof shall be entitled to receive interest for the same annually, to be paid by the Treasurer of the said County out of the assessments hereinafter mentioned.

An annual assessment to be made for such an amount as will pay expenses of assessments and interest on loan under this Act, until debts contracted under Acts 1 V. c. 16, and 2 V. c. 33, are paid off, after which an assessment may be made to pay off the debt hereby authorized to be contracted.

IV: And be it enacted, That it shall and may be lawful for the said Justices of the Peace of the said City and County, and they are hereby authorized and required to make a rate and assessment each and every year, of such a sum of money, besides the charge for assessing and collecting, as will discharge the interest of the loan contracted by virtue of this Act, until the total amount of the loan, and all interest thereon heretofore obtained by virtue of the Act of Assembly made and passed in the first year of the Reign of Her Majesty Queen Victoria, intituled *An Act to authorize the Justices of the Peace in and for the City and County of Saint John to establish a House of Correction for the said City and County, and to extend the provisions of two Acts of Assembly to the same,* and until the total amount of the loan, and all interest thereon heretofore obtained by virtue of the Act of Assembly made and passed in the third year of the Reign of Her present Majesty, intituled *An Act to authorize the Justices of the Peace in and for the City and County of Saint John to erect a building in the said City for a Common Gaol, and to raise a sum of money for erecting and completing the same,* are severally paid off and discharged; and from and after the time of payment and discharge of the total amount of said several loans so contracted by virtue of the said several Acts, it shall and may be lawful for the said Justices, and they are hereby authorized and required to make a rate and assessment of the said sum, not exceeding five hundred pounds, besides the charge for assessing and collecting, for the purpose of discharging the principal and interest then due upon the loan contracted by virtue of this Act, for the purpose of paying off the same; which said sums of money are to be assessed, levied, collected and paid, in such proportion, and in the same manner as other County Rates for public charges are or may be assessed, levied, collected and paid under and by virtue of any Act or Acts made or to be made for assessing, levying and collecting rates for public charges.

V. And be it enacted, That the interest upon the money to be raised by virtue of this Act, with the charge for assessing and collecting the same, shall be assessed and levied under one rate, with the interest of the loans heretofore contracted under the said Act, intituled *An Act to authorize the Justices of the Peace in and for the City and County of Saint John to erect a building in the said City for a Common Gaol, and to raise a sum of money for erecting and completing the same*, in the same manner as if the money raised by virtue of this Act had been raised, and were a part of the sum of money borrowed under and by virtue of the said last recited Act.

Expenses of assessment and interest of loan under this Act to be levied in same rate with interest of loans contracted under Act 3 V. c. 38.

VI. And be it enacted, That the monies so to be assessed as aforesaid shall be applied, after discharging all interest due on the loans contracted by virtue of this Act, to the payment of the principal sums mentioned in such certificates or notes; and that the Treasurer of the said City and County shall give one month's public notice by advertisement in one of the newspapers published in the said City, for calling in the said notes, when he is prepared to pay off the same, and that from and after the time specified in such notice the interest on said certificates or notes shall cease.

Moneys assessed to be applied towards payment of the loan after all the interest is paid.

VII. And be it enacted, That the County Treasurer shall be entitled to have and retain the sum of one pound per centum on every hundred pounds for his services in receiving and paying the said monies so to be assessed under the provisions of this Act, and no more.

Remuneration of the County Treasurer.

CAP. XXXIV.

An Act to authorize the Justices of the Peace for the City and County of Saint John to levy an assessment for the payment of expenses incurred in the preservation of the Public Peace in the Parish of Portland, and in lighting a part of the said Parish with Gas.

Passed 30th March 1848.

WHEREAS under the provisions of an Act made and passed in the seventh year of the Reign of His Majesty King William the Fourth, intituled *An Act to provide for increasing the number of Constables in the City of Saint John, and for appointing Special Constables in the City and County of Saint John*, a number of Special Constables were employed in the month of November last, and are now employed in preserving and keeping the Peace in the Parish of Portland, in the said City and County: And whereas it has been found necessary to light a part of the said Parish with Gas; and in order to make provision for the payment of the services of the said Special Constables, and of lighting the said Parish,

Preamble.

7 W. 4, c. 12.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That Her Majesty's Justices of the Peace for the City and County of Saint John, at any General or Special Sessions of the Peace hereafter to be holden therein, be and are hereby authorized and empowered to make such rate or assessment, in the manner hereinafter provided, upon the said Parish of Portland, of any sum not exceeding five hundred pounds, as they in their discretion may think necessary for the purpose of defraying the expenses of the said Special Constables so as aforesaid employed, and of lighting a part of the said Parish with Gas.

Assessment of £500 for expenses of Special Constables, and lighting part of Portland, authorized.

II. And be it enacted, That the said sum of five hundred pounds, together with the expenses of collecting and assessing the same, shall be rated, assessed, levied and raised upon the inhabitants, and the personal property and income of the inhabitants of the said Parish of Portland, and upon the real property situate within the said Parish, by a Poll Tax and Real and Personal Property Tax, and shall

To be assessed as other County or Parish Rates;