

*Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1789.* Saint John, NB: J. Ryan, 1789.

29 George III – Chapter 1

**An Act for erecting a Parish in the City of Saint John, and incorporating the Rectors, Church Wardens and Vestries of the Church of England in the several Parishes in this Province.**

Be it enacted by the Lieutenant Governor, Council and Assembly, That the Parish of the Church commonly called and known by the name of Trinity-Church, in the City of Saint John, shall comprehend all the lands lying and being in the City of Saint John. and shall be known and called by the name of the Parish of Saint John.

II. And be it further enacted, That the present Rector, Church Wardens and Vestry of the said Church, and their successors for ever, shall be a body of politic and corporate in deed and name, and shall have succession for ever by the name of “The Rector, Church Wardens and Vestry of Trinity Church in the Parish of Saint John” and by that name shall sue, and be sued, implead, and be impleaded, answer, and be answered unto, in all courts and places whatsoever in this province; and shall have full power and capacity to purchase, receive, take, hold, and enjoy for the use and benefit of the said Church, as well goods and chattels, as lands, tenements, and hereditaments, and improve and use the same for the benefit and advantage of the said Church according to their best discretion, and the true intent and meaning of the donors, where such goods and chattels, lands, tenements, or hereditaments, shall be given, devised, or bequeathed to the use and benefit of the said Church, any law, usage, or custom, to the contrary notwithstanding.—Provided always that the amount of the annual rents, profits, and receipts of such lands, tenements, goods, chattels, and hereditaments shall not exceed the sum of five hundred pounds.

III. And be it further enacted, That the parishoners of the said parish shall on the first Monday after Easter, for ever hereafter, yearly and every year assemble and meet together at the said Parish Church, and shall then and there by a plurality of voices, elect and chuse two fit persons belonging to the said parish to be Church Wardens for the year ensuing, and any number not exceeding twelve, of other fit persons, belonging to the said parish, to be Vestry-men for the year ensuing—who shall thereupon enter into the execution of their respective offices, and shall continue in the same until other fit persons shall be chosen in their stead.

IV. And be it further enacted, That the several lots of land already purchased or conveyed to the use of the said Church, for the purpose of erecting the said Church thereon, and also the said Church lately erected on the said lots, shall be and remain fully and absolutely vested in the said Rector, Church Wardens and Vestry, and their successors for ever, as a good and absolute estate in fee simple, for the use, trust and benefit aforesaid, and shall be so deemed and taken in all Courts of Law and Equity in this province, any law, usage, or custom, to the contrary notwithstanding.

29 George III – Chapter 1

V. And be it further enacted, That the said Rector, Church-Wardens and Vestry, or the major part of then assembled, upon due notice publicly given, shall have full power and authority, to have, use, and take, all such ways, means, and methods, as in their discretion they shall think meet, by the absolute sale of, or by letting to hire, or other disposal of the pews of the said Church, or the said lands and ground, and by the improvement and use as aforesaid of such goods, chattels, lands, tenements, and hereditaments as shall be hereafter purchased or given to the use and benefit of the said Church, to compleat and finish the said Church, and repair the same from time to time, and to provide goods, furniture, ornaments, and bells; and to pay the salaries and other allowances to the Rector, Organist, Clerk, and Sexton of the same Church, and to the Clerk of the Vestry; and to defray all other necessary future expenses for the use and benefit of the said Church.

VI. And be it further enacted, That the Rectors, Church-Wardens and Vestries of the several and respective Churches already erected in the several and respective parishes in this province, and also of such Churches as shall be hereafter erected, and their respective successors for ever, shall, as soon as they are respectively inducted and appointed, be bodies politic and corporate in deed and name, and shall have succession for ever, by the name of, the Rector, Church Wardens and Vestry of the several and respective Churches to which they belong; and this act, and every clause, direction, authority and power in the same contained, shall extend and be in force for all such Churches, in the same manner as if the said clauses, directions, authorities and powers were particularly reenacted and applied to such Churches respectively.

VII. And be it further enacted, That in case of the death, or absence from, the province, of the respective Rectors of the said Churches for the time being, and where no Rectors shall have been appointed, the Church Wardens and Vestry in such parishes, shall, during such vacancy or absence, have the full powers and authorities that are herein before given to the Rector, Church-Wardens and Vestry of such Churches respectively.

VIII. And be it further enacted, That henceforth no corpse shall be interred within or under the said Church in the City of Saint John, or within one hundred yards from the walls of the said Church; or within or under the walls of any Church already erected or hereafter to be erected in this province.