

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1849. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1849.

12 Victoria – Chapter 2

An Act to authorize the Mayor, Aldermen and Commonalty of the City of Saint John to purchase or lease a lot of Land for the purpose of enlarging the Country Market fronting on Charlotte Street in the said City. Passed 9th March, 1849.

Whereas from the increase in the extent of the City of Saint John, it has become necessary to make provision for enlarging the Market fronting on Charlotte Street in the said City and whereas under the provisions of an Act made and passed in the ninth year of Her present Majesty, intituled *An Act relating to the Public Debt of the City of Saint John*, the Mayor, Aldermen and Commonalty of the City of Saint John cannot legally contract and agree for the leasing or purchasing and payment of the Land necessary to enlarge such Market, unless thereunto authorized by law;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That notwithstanding anything in the said recited Act contained, it shall and may be lawful for the Mayor, Aldermen and Commonalty of the City of Saint John to contract and agree for the leasing or purchasing and payment of a lot or parcel of ground for the enlargement of the said Market, fronting on Charlotte Street in the said City, and to make, execute, seal and deliver all such deeds, bonds, mortgages, leases or other assurances as may be necessary for the payment or securing the payment of the rent or purchase money of such lot of Land so to be leased or purchased for the purpose aforesaid; provided always, that no such deeds, bonds, mortgages, assurances, leases, contracts or agreements to be made and executed by the Mayor, Aldermen and Commonalty of the City of Saint John, under the provisions of this Act, or any judgment to be obtained thereon, shall affect or in anywise be binding or operate upon any real estate of the said Mayor, Aldermen and Commonalty of the said City, other than the Land leased or purchased under and by virtue of this Act.

II. And be it enacted, That the Land leased or purchased by the said Corporation under the provisions of this Act, and every part thereof, with the improvements and appurtenances, shall not in law or equity be liable to be levied upon or taken in execution for the debts of the Mayor, Aldermen and Commonalty of the said City of Saint John, or any other person whatever; provided always, that nothing in this section contained shall be construed or held to exempt the said Land so to be leased or purchased, or any improvements thereon, from being levied upon or taken in execution for any debt incurred by the said Corporation for the rent or in payment of the said Land, under the provisions of this Act.