

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1852. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1852.

15 Victoria – Chapter 17

An Act to erect another Parish in the City of Saint John for Ecclesiastical purposes. Passed 18th February 1852.

Whereas the Rector, Church Wardens and Vestry of Trinity Church, in the Parish of Saint John, in the City of Saint John, at the request of many Members of the Church of England in the said Parish, have petitioned that that part of the said Parish which lies to the southward of the centre of Queen Street should, for all Ecclesiastical purposes, be set off as a separate and distinct Parish, in order that a separate Rectory or Mission may be there appointed, and the Chapel there lately erected by the said Rector, Church Wardens and Vestry of Trinity Church, become the Parish Church of the said separate Parish: And whereas it appears expedient and proper, as well from the increase of the population as from divers other good causes and considerations, that the prayer of the said Petitioners should be complied with;

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, as follows:—

1. From and after Easter Day, being the eleventh day of April in this present year, that part of the said Parish of Saint John which lies to the southward of a line running east and west through the centre of Queen Street in the said City, and of the easterly and westerly prolongation of such line through Queen's Square to the boundary lines of the said City, shall be and the same is hereby declared to be, from and after Easter Day aforesaid, a separate and distinct Parish within the said City for all matters and purposes Ecclesiastical, or relating to the Established Church of England, by the name of "The Parish of Saint James, in the City of Saint John;" and that the Church or Chapel lately erected by the said Rector, Church Wardens and Vestry of Trinity Church, situate on lands lying between Main Street and Sheffield Street, and called and known by the name of "Saint James Church," shall be deemed and taken to be the Parish Church of the said Parish of Saint James; and the Church Wardens and Vestry of the said Parish of Saint James, so soon as they may be duly elected and chosen, together with the Rector for the time being of the said Parish of Saint James; and their respective successors forever, shall be a Body Politic and Corporate in deed and in name, and shall have succession forever by the name of The Rector, Church Wardens and Vestry of Saint James Church, in the Parish of James, in the City of Saint John.

2. The Rector, Church Wardens and Vestry of Saint James Church, in the Parish of Saint James aforesaid, shall and may, from Easter Day aforesaid, and forever thereafter, stand seized of, have, hold, possess and enjoy the several lots, pieces and parcels of land and premises situate in Main and Sheffield Streets aforesaid, now belonging to the said Rector, Church Wardens and Vestry of Trinity Church, together with the said Church or Chapel thereon standing, and being and known or called as "Saint James Church" as aforesaid, together with all and singular the rights, members, privileges and appurtenances to the same, and every part and parcel thereof belonging, or in

anywise appertaining, as fully and effectually, and in like manner, and to all intents and purposes, as the Rector, Church Wardens and Vestry of Trinity Church might or could have held and enjoyed the same before the passing of this Act.

3. Two Church Wardens, and not more than twelve Vestrymen, for the said Parish of Saint James, shall be elected and chosen by ballot on Easter Monday in each and every year, who shall continue in office until others shall be chosen in their stead.

4. Male inhabitants of the City of Saint John, of the age of twenty one years and upwards, who shall be owners of Pews in the said Parish Church, and no others, shall be entitled to vote in the choice of, and also shall be qualified and capable to be elected Church Wardens and Vestrymen of the said Parish of Saint James; provided that no person shall be eligible as a Church Warden or a Vestryman, unless he shall be a Member of the Church of England, and shall have been for at least six months previous a stated hearer and attendant at the public worship of the same; and provided also, that the ownership of a Pew in the said Parish Church shall not entitle more than one person to vote in respect of such Pew at any election.

5. The power and authority granted to a Church Corporation by any Law in force in this Province, and all and every the clauses, enactments and provisions of an Act made and passed in the twenty ninth year of the Reign of King George the Third, intituled *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*, and of all other Acts relating to such Corporations, and to the elections of Church Wardens and Vestrymen, now in force in the said Parish of Saint John, shall extend and be construed to extend to the said Parish of Saint James, erected by this Act, as fully and effectually as if such power and authority were herein specially granted, or such clauses, enactments and provisions were herein particularly enacted, except so far as such clauses, enactments and provisions may be inconsistent with the provisions of this Act.