

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1856. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1856.

19 Victoria – Chapter 50

**An Act to erect the Parish of Saint Paul's in the County of Saint John, for ecclesiastical purposes.
Passed 1st May 1856.**

Section.

1. Parish of Saint Paul's erected for ecclesiastical purposes.
2. Corporation of Saint Paul's Church vested with a certain piece of land and Chapel.
3. Churchwardens and Vestrymen for Saint Paul's to be elected by ballot.
4. Qualifications of electors.

Section.

5. Powers of a Church Corporation, &c. extended to Saint Paul's.
6. Churchwardens, Vestry, and electors, in the several Parishes, to meet annually on Saturday before Easter Monday.
7. Rector need not be present; Accouts to be exhibited.
8. Operation of Act limited.

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

1. That from and after the second Monday in May in the present year, that part of the Parish of Portland, in the County of Saint John, which lies to the eastward of a line drawn along the centre of the Street passing over the Mill Bridge, and extending northwardly to the Kennebecasis River, shall be and the same is hereby declared to be a separate and distinct Parish for all purposes Ecclesiastical or relating to the Church of England, by the name of "The Parish of Saint Paul," and the Church or Chapel of Ease hereinafter mentioned shall be deemed and taken to be the Parish Church of the said Parish of Saint Paul; and the Church Wardens and Vestry of the said Parish, so soon as they shall be duly elected and chosen, together with the Rector for the time being, and their respective successors for ever, shall be a body politic in deed and in name, and shall have succession for ever, by the name of "The Rector, Church Wardens, and Vestry of Saint Paul's Church, in the Parish of Saint Paul."

2. The Rector, Church Wardens, and Vestry of Saint Paul's Church, in the Parish of Saint Paul, shall on the said second Monday in May, and for ever thereafter, stand seized of, hold, possess, and enjoy the lot of land and premises granted and conveyed by the late Honorable Ward Chipman to the Rector, Church Wardens, and Vestry of Saint Luke's Church, in the Parish of Portland, by deed bearing date the second day of June in the year of our Lord one thousand eight hundred and forty five, and therein described as—"All that lot of land situate, lying, and being in the said Parish of Portland, bounded and described as follows, that is to say:—Beginning at the intersection of the southern line of the Road leading to Sand Point with the eastern line of Wall Street; thence running southerly on the said eastern line of Wall Street one hundred and fifty six feet to the northern line of Winter Street; thence running easterly on the said northern line of Winter Street two hundred and seventy feet to the western line of a Street to be there laid out by the said Ward Chipman, fifty feet in width, and called Albert Street; thence running northerly on

the said western line of Albert Street to the said southern line of the Road leading to Sand Point; thence running westerly on the said southern line of the Road leading to Sand Point, following the several courses thereof, to the place of beginning;" together with the said Church or Chapel of Ease erected on part of the said lot, called Saint Paul's Chapel; add all and singular the rights, members, privileges, and appurtenances to the same belonging, in like manner and for the like uses, interests, and purposes, and for no other, and subject to the like trusts and conditions, as the Rector, Church Wardens, and Vestry of Saint Luke's Church might, before the passing of this Act, have held, possessed, and enjoyed the same; and the said Rector, Church Wardens, and Vestry of Saint Luke's Church shall thereupon be wholly relieved and exonerated from the trusts reposed in them under and by virtue of the said conveyance so made by the said late Honorable Ward Chipman.

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

4. Owners or Lessees for one year or longer of pews in Saint Paul's Church, being males of the age of twenty one years and upwards, and no other persons, shall be entitled to vote in the choice of, and shall also be qualified and capable to be elected and chosen Church Wardens and Vestrymen of Saint Paul's Church, in the Parish of Saint Paul; provided that no person shall be eligible as a Church Warden or Vestry-man, unless he shall be a member of the Church of England, and shall have been for at least six months a stated hearer and attendant at the public worship of the same; and provided that the ownership or lease of a pew in the said Church shall not entitle more than one person to vote in respect of the said 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 Title XXVIII, Chapter 107, of the Revised Statutes, "Of the Church of England," shall extend and be construed to extend to the said Parish of Saint Paul, 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.

6. The Church Wardens, Vestry, and Pewholders, or other persons qualified to vote in the election of Church Wardens and Vestrymen in the said Parish, and in every other Parish in this Province, may assemble in their Vestry room or other usual place of meeting, for all business connected with their respective Parishes, (except the choice of officers) on the Saturday before Easter Monday in every year; and notice of such meeting shall be given by the Rector on the Sunday previous.

7. It shall not be necessary for the Rector to be present at such meeting; in his absence a Chairman shall be named by the persons present: A full and detailed statement and account of the receipts and expenditure of the Corporation for the past year shall be laid before the meeting, and

any information required by any pewholder or person qualified to vote for Church Wardens and Vestrymen, respecting the same, or respecting the property of the Corporation and the management thereof, shall be given.

8. Nothing in this Act contained shall take away or in any wise affect, or be construed to take away or in any wise affect, the rights of any person or persons other than the Rector, Church Wardens, and Vestry of Saint Luke's Church, in the Parish of Portland, and the Rector, Church Wardens, and Vestry of Saint Paul's, in the Parish of Saint Paul's, or to give to or vest in the Rector, Church Wardens, and Vestry of Saint Paul's Church, in the Parish of Saint Paul's, any other or better title or estate than was vested in the Rector, Church Wardens, and Vestry of Saint Luke's Church, in the Parish of Portland, at the time of the passing of this Act.