

*Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1858.* Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1858.

21 Victoria – Chapter 36

**An Act to divide the Parish of Carleton, in the City of Saint John, and to erect a separate Parish for Ecclesiastical purposes. Passed 6th April 1858.**

Section.

- Preamble; 5 G. 4, c. 19.
1. Parish of Victoria erected for Ecclesiastical purposes.
  2. Certain persons declared Church Wardens and Vestrymen; and Corporation of St. Jude's Church created.

Section.

3. Persons named to continue in office until the Church be erected and others elected
4. Qualifications of voted and officers.

Whereas in and by an Act made and passed in the fifth year of the Reign of His late Majesty King George the Fourth, *intituled An Act for erecting a separate Parish in the City of Saint John*, that part of the City of Saint John lying on the western side of the Harbour, comprehending Guy's Ward and Brooks' Ward, was erected into a separate Parish for all matters and purposes Ecclesiastical or relating to the Established Church of England, by the name of "The Parish of Carleton, in the City of Saint John and whereas many of the inhabitants of that part of the said City have petitioned that the said Parish should be divided, and that that part of the said City so lying on the western side of the Harbour aforesaid, known and distinguished by the name of Brooks' Ward, should for all Ecclesiastical purposes be set off, constituted and established a separate and distinct Parish, by the name of "The Parish of Victoria," in order that a separate Rectory or Mission may be there appointed ; and whereas it is deemed expedient that the same should be so divided;—

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

1. That from and after the first day of May in the present year, that part of the City of Saint John on the western side of the Harbour, comprehending, known, and distinguished by the name of Brooks' Ward, shall and the same is hereby declared to be a separate and distinct Parish within the said City of Saint John, for all matters and purposes Ecclesiastical or relating to the Church of England, by the name of "The Parish of Victoria, in the City of Saint John."
2. Joseph B. Whipple and James Stackhouse shall be and are hereby declared to be Church Wardens, and Stephen P. Wetmore, Joseph Coram, Robert Stackhouse, John C. Littlehale, Edwin J. Wetmore, William H. Olive, Joseph Beatteay, Charles Ketchum, James Lane, and Sergeant S. Littlehale, Vestrymen of the said Parish, and they are hereby constituted a body politic and corporate, and shall, together with the Rector for the time being, by the name of "The Rector, Church Wardens, and Vestry (according to the designation of the Church to be erected in the said Parish, to be agreed upon by the said Church Wardens and Vestry,) of Saint Jude's Church," in

deed and in name be a body politic and corporate, and shall have succession for ever by the name of "The Rector, Church Wardens and Vestry of Saint Jude's Church, (according to the designation of the Parish Church as aforesaid,) in the Parish of Victoria, in the City of Saint John," and shall have a common seal, and shall have power to purchase, lease, receive, hold and take lands for the purpose of building a Church thereon, and to build a Parish Church in the said Parish; and they are hereby invested with all the rights, powers, privileges and incidents which in and by Chapter 107, of the Revised Statutes of this Province, made and passed in the seventeenth year of the Reign of Her present Majesty, are given to the Rector, Church Wardens and Vestry of Parish Churches.

3. The Church Wardens and Vestrymen before named, shall continue in office until they shall have erected a Parish Church as aforesaid, and until other persons shall be elected in their stead as hereafter provided: two Church Wardens, and not more than twelve Vestrymen for the said Parish Church shall be elected and chosen by ballot, on the first Easter Monday after the erection and consecration of the Church, and on the same period in each and every year thereafter, who shall continue in office until others are elected in their stead.

4. Owners or lessees for one year or longer of Pews in Saint Jude'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 Jude's Church, in the Parish of Victoria; provided that no person shall be eligible as a Church Warden or Vestryman 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.