

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1859. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1859.

22 Victoria – Chapter 5

An Act to divide the Parish of Nelson into two separate and distinct Parishes. Passed 21st March 1859.

Section.

Preamble.

1. Parish of Derby erected.
2. Election of Officers.
3. Clerk for election of Parish Officers.

Section.

4. Recovery of previous taxes.
5. Apportionment of debts due by Nelson.
6. Paupers where chargeable.

Whereas the Parish of Nelson, in the County of Northumberland, is so extensive as to render the performance of the several Parochial duties required by Law troublesome and in-convenient, consequently it is necessary to divide the same into two Parishes,—

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

1. That from and after the first day of December next, all that part of the Parish of Nelson bounded on the west by the Parish of Blackville, on the north by the Parish of Northesk, on the east by the lower extremity of Beaubear's Island, and to include the same, and on the south by the South West Branch of the Miramichi River, shall be and the same is hereby erected and constituted a separate Parish, to be called 'The Parish of Derby.'
2. The several Parish Officers for the Parish of Derby shall be elected or appointed in the manner provided for by Title VIII, of the Revised Statutes, 'Of the local government of Counties, Towns, and Parishes,' and shall in all respects be subject to and come within the provisions of the said recited Title.
3. Any two Justices of the Peace for the County shall and may appoint a fit and proper person residing within the limits of the said Parish of Derby, as Clerk for the election of Parish Officers, agreeably to the provisions of the said recited Title, for the first year after this Act comes into operation.
4. Provided always, that nothing in this Act contained shall extend or be construed to extend to prevent the recovery of any Parish or other dues, assessments, taxes, penalties, fines, or moneys whatsoever, which may be due, incurred, forfeited, or unpaid, when this Act shall go into operation, and the same shall and may be paid and recovered in like manner as if this Act had not been made.

5. That the debts and liabilities now due by and chargeable on the said Parish, and the support and maintenance of the Paupers now actually charged on the said Parish of Nelson, shall be from time to time hereafter apportioned between the said Parish of Nelson and the said new Parish, in such proportions by the General Sessions of the Peace for the said County, as to them shall seem just and equitable; the amount necessary to discharge such existing debts, and also for the future support of the Paupers now charged on the said Parish of Nelson, when so apportioned by the said General Sessions, shall be assessed, levied, and collected under any Law that now is or hereafter may be in force for the assessing, levying, and collecting of Parish and County Rates.

6. That it shall be lawful for, and the said General Sessions of the Peace for the said County are hereby authorized at the General Sessions to be held in January next, to determine how many and which of the paupers now charged on the said Parish shall thereafter be supported and maintained by each of the Parishes created by this Act; and when the said General Sessions shall so determine, any two Justices of the said County, on the application of the Overseers of the Poor of the said Parish of Nelson, shall by Warrant under their hands, directed to any Constable of the said County, cause the said pauper or paupers to be conveyed and delivered over to the Overseers of the Poor of the said new Parish, and such new Parish shall thereafter be liable to and chargeable with the support and maintenance of the said pauper or paupers.