

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1863. Fredericton, NB: G. E. Fenety, Printer to the Queen's Most Excellent Majesty, 1863.

26 Victoria – Chapter 28

An Act to amend the Law relating to the levying, assessing and collecting of Rates in the City of Saint John. Passed 20th April, 1863.

Section.

1. Mayor, &c. to determine amount of money to be raised; Proviso.
2. Sec. 1, 22nd Vic. cap. 37, in part repealed.
3. Amounts required, how levied.

Section.

4. No Rates to be quashed on account of want of form only; exceptions.
5. Sec. 1, 24th Vic. cap. 29, respecting affidavit, in part repealed.

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

1. That notwithstanding any thing in the first Section of an Act passed in the twenty second year of the Reign of Her present Majesty, intituled *An Act relating to the levying, assessing and collecting of Rates in the City of Saint John*, the Mayor, Aldermen and Commonalty of the City of Saint John shall have power, on or before the first day of April in each year, to determine and direct what sum of money shall be raised and levied in the City of Saint John for the several purposes mentioned in the said first Section of the said Act; provided always, that the sum to be raised and levied in any one year for such purposes shall not exceed in the whole the sum of twelve thousand pounds.
2. That so much of said first Section of said before mentioned Act as is inconsistent with this Act, be and the same is hereby repealed.
3. The several amounts required for that part of the said City of Saint John on the eastern side of the Harbour, shall be levied and assessed upon the said east side and the inhabitants thereof; and the several amounts required for that part of the said City of Saint John on the western side of the Harbour, shall be levied and assessed upon the said west side and the inhabitants thereof.
4. No rate or rates levied or assessed, or that may hereafter be levied or assessed under or by virtue of the said before mentioned Act, or of any Act in alteration of, or in amendment of, or in addition to the said Act or of this Act, or under or by virtue of any Act now passed or which may hereafter be passed, relating to the levying, assessing and collecting of rates in the said City of Saint John, or in the City and County of Saint John, shall be quashed for matter of form only, nor shall any general rate be quashed for any illegality in the rates of individuals except as to such individuals; nor shall the quashing of any rate or rates as to any person or persons assessed, affect or invalidate the rate or assessment except so far as relates to such particular person or persons.

5. The affidavit provided for by the first Section of an Act passed in the twenty fourth year of the Reign of Her present Majesty, intituled *An Act to amend an Act intituled 'An Act relating to the levying, assessing and collecting of Rates in the City of Saint John,'* so far as the same relates to the proof of the notice of assessment, shall, notwithstanding any thing in the proviso, in such first Section contained, be made by a Commissioner of Streets for said City, or other person who serves such notice, and the nonpayment of assessment shall be verified by the affidavit of the Receiver of Taxes, called the 'Collector' in said proviso; so much of said proviso as is inconsistent herewith is hereby repealed.