

ment half yearly of the interest on the said residue of the said debt not charged on the west side of the said Harbour; and the balance, after such payments, shall be applied in liquidation of that portion of the debt charged on the east side.

5. The Corporation shall have the right to retain and use, without any charge, such portion of the common lands on the west side, as may be necessary for ferry landings, coal sheds, and other public conveniences for the full accommodation and use of the ferries, and the public resorting thereto.

Reservation of ferry landings, coal sheds, &c.

6. As soon as the Public Debt now due by the Corporation shall be paid off and satisfied, all their revenues affected by this Act shall be applied as directed by the Charter of the said City.

Application of revenues after payment of the public debt.

7. The sum of two hundred and fifty pounds shall be paid out of the general revenues of the City towards the costs, fees and expenses incurred by the Complainants in prosecuting said suit in Chancery, the balance to be paid out of the rents of the common lands on the west side; the costs, fees and expenses incurred by the Defendants in defending the said suit, shall be paid out of the rents of the common lands on the east side of the Harbour and the general revenues.

Apportionment of costs of suit.

8. In any action or suit brought or to be brought by the Mayor, Aldermen and Commonalty of the City of Saint John, for any lands, tenements or hereditaments to them granted by the Crown, or the rents, issues and profits thereof, or upon any covenant, condition, matter or thing contained in any lease, grant, deed, or assurance by them made of any such lands, tenements or hereditaments, no Defendant or Defendants other than the Trustees or Mortgagees, or their heirs or assigns, shall be permitted to set up or give in evidence a certain Trust Deed or Mortgage, bearing date the twentieth day of September in the year of our Lord one thousand eight hundred and forty two, and made between the said Mayor, Aldermen and Commonalty of the City of Saint John, of the one part, and Hugh Johnston, John Robertson, Alfred Smithers, Thomas Merritt, and William Wright, of the other part, and registered in the Registry Office of the City and County of Saint John on the twenty first day of September in the year of our Lord one thousand eight hundred and forty two, or any other deed or conveyance made and executed of the said lands or tenements, or any of them, by any party whatsoever to the said Trustees, or either of them, to bar the right of recovery or to defeat the title of the said Mayor, Aldermen and Commonalty of the City of Saint John, their successors or assigns, in any such action or suit, any law or custom to the contrary notwithstanding.

Trust Deed or Mortgage dated 20th September, 1842, to be set up in bar of any action by no defendant other than the Trustees or Mortgagees.

9. Nothing in the Act made and passed in the ninth year of Her present Majesty's Reign, intituled *An Act relating to the Public Debt of the Corporation of the City of Saint John*, shall be held or taken to authorise any assessment upon the inhabitants of Carleton, on the west side of the Harbour, unless for the purpose of making good any deficiency which may arise in the payment of the interest made chargeable on the west side by the provisions of this Act.

Inhabitants of Carleton exempted from assessment under 9 V. c. 29, unless for deficiency of interest.

CAP. XI.

An Act for the division of King's Ward, in the City of Saint John, into two separate Wards.

Passed 14th April 1853.

‘WHEREAS from the great extent of the present Ward in the City of Saint John, called King's Ward, and from the increase in the number of the residents therein, it is necessary and expedient that the same should be divided into two separate Wards;’

Preamble.

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

1.