

income which shall exceed six hundred dollars, at a sum less by three hundred dollars than the whole amount of such net annual income :

5th. Provided always, that no person who shall be liable to taxation or assessment in the City of Saint John, as an inhabitant of the said City, for the purposes of such taxation or assessment, by reason of his carrying on any business, or having any office or place of business, or any occupation, employment or profession whatsoever, within the said City, though actually resident in the said Town, shall be liable, by virtue hereof, to taxation or assessment in the said Town, upon any income or personal estate, in respect of which he shall be so liable to taxation or assessment in the City of Saint John.

130. For the purposes of assessment under this Act, the term "Real Estate" shall be deemed to signify land, and any buildings or other erections upon land, or any term or terms of years, or present beneficial and productive interest in land ; and the term "Personal Estate" shall be deemed to signify all goods, chattels, moneys, capital, and effects, and any share or interest therein, and all debts, whether due upon accounts, or upon any contract, promissory note, or land, and mortgage, and all public stocks and securities, and any share or interest therein, not being stock in any Joint Stock Company or Corporation within this Province.

131. In cases of mortgaged real estate the mortgagor shall, for the purpose of assessment, be deemed to be the owner until the mortgagee shall have taken possession, after which the mortgagee shall be deemed and taken to be the owner.

132. All Joint Stock Companies or Corporations shall be assessed under this Act in like manner as individuals ; and for the purposes of such assessment, the President, or any agent or manager of such Joint Stock Company or Corporation, shall be deemed to be owner of the real and personal estate, capital stock and assets of such Company or Corporation, and shall be dealt with, and may be proceeded against, accordingly ; and such President, agent or manager shall, in regard to the real and personal estate, income, or other thing of such Company or Corporation, be assessed separately and distinctly from any other assessment to which he may be liable ; and he may charge against and recover from such Company or Corporation the amount of any assessment which he may be required to pay on account of such Company or Corporation, under the provisions of this Act, provided that nothing in this Act shall render liable to such assessment the real or personal estate, income or other thing of the said Town of Portland.

133. For the purposes of assessment, any person carrying on any business, or having any office or place of business, or any occupation, employment or profession within the Town of Portland, shall be deemed an inhabitant thereof ; and the principal office or place of carrying on the business and operations of any Company or Corporation within the said Town of Portland, shall be deemed to be the place of inhabitancy of such Company or Corporation, and of the President, agent or manager thereof ; provided that no such person or Corporation shall be liable to assessment on any personal estate or income, unless the said income shall be derived from such business, occupation, or employment, or profession, or the said personal estate held in connection therewith.

134. The agent or manager of any Joint Stock Company or Corporation established abroad or out of the limits of this Province, or of any person or persons whether incorporated or not, doing business abroad or out of the limits of this Province, who shall carry on business within the Town of Portland, or who shall have an office or place of business in the said Town for any such Company, Corporation, person or persons, shall be rated and assessed in like manner as any inhabitant upon the income received as aforesaid by him as such agent ; and for the purpose of enabling the Assessors to rate such Company or Corporation, person or persons, the said agent or manager shall, when required in writing by the Assessors so to do, furnish to them a true and correct statement in writing, under oath, setting forth the whole amount of income received for such Company or Corporation,

person or persons, within the Town of Portland during the fiscal year preceding the making up of all the annual assessments ; and in the event of neglect or refusal on the part of such agent or manager to furnish the required information, the Assessors shall within ten days after such application therefor rate and assess the said agent or manager according to the best of their judgment, and there shall be no appeal from such rate or assessment ; for the purposes of this Section, the agent or manager shall be deemed the owner of such income, and shall be dealt with accordingly ; but he may recover from the Company or Corporation, person or persons he represents, any assessment he may be called upon to pay on such income as aforesaid : such assessment shall be made separately and distinctly from any other assessment to which such agent or manager shall be liable.

135. No stockholder of any Joint Stock Company or Corporation liable to be rated shall be assessed in respect of any property in or income derived from such Company or Corporation as a stockholder therein.

136. The estate of deceased persons under control of their executors, administrators, or trustees, the separate property of married women, and the property of minors, or other property under the control of agents or trustees, may be rated in the name of the principal party or parties ostensibly exercising control over them, but under such description as will keep the rating separate and distinct from any assessment on such parties in respect of property held in their own right.

137. In every assessment to be made such assessment shall be deemed and taken to be legal, although the aggregate amount thereof shall exceed the sum ordered to be assessed, provided such excess be not more than ten per centum of the sum so ordered.

138. Any person thinking himself aggrieved by any assessment under this Act, may appeal by petition, under oath made before a Justice, to the Assessors, who shall duly consider the same ; and if they shall deem the party entitled to relief, the Assessors shall make such alteration in their assessment as to them shall appear to be just and right : In case the appellant be not satisfied with the decision of the Assessors, he may appeal to the Town Council, who may either affirm the first or the amended assessment, or otherwise deal with the matter, and their decision shall be final ; provided that no such appeal shall be heard or received by the Town Council unless the said Petition, under oath, or a duplicate thereof, be filed with the Town Clerk within thirty days after the announcement of the assessment.

139. No rate or rates levied or assessed under this Act 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.

140. The Assessors shall have liberty to search the office of Register of Deeds for the City and County of Saint John, and the Registrar shall receive for all searches from the Assessors the sum of one shilling, and no more, not to exceed five shillings in any one day ; and shall also search the registry of shipping, and all public departments where registry of bonds or other public securities are kept, that may be necessary for the purpose of obtaining information for carrying out the provisions of the laws relating to assessments, and pay such fees as may legally be demanded ; and all such sums and fees paid in respect of any such searches by the Assessors, shall be allowed and repaid to them in addition to their salary hereinbefore provided.

141. So soon as the assessment book shall be made up and completed by the Assessors as aforesaid, one copy thereof shall be filed with the Clerk of the Peace for the City and County of Saint John, and a duplicate copy with the Treasurer of the said Town of Portland, and the property book shall be filed and kept with the said Treasurer ; and all such books, whether in the hands of the said Clerk of the Peace or Treasurer, shall at all times, within reasonable business