

On whom assessment to be made, and how levied.

the River following the dividing line, or centre thereof, to the place of beginning; such assessment to be made in due proportion upon all and every person or persons who do or shall inhabit, hold, occupy, possess and enjoy any House, Shop, Mill, Warehouse, or other tenement or property liable to be consumed by fire within the said District; such sum to be assessed, levied, collected and paid in such proportion and in the same manner as any County rates can or may be assessed, levied, collected and paid under any Act or Acts in force in this Province for assessing and levying and collecting of rates in this Province for public charges.

CAP. XXXVII.

An Act to authorize Her Majesty's Justices of the Peace of King's County to erect a Building in the said County for a Common Gaol, and to assess the Inhabitants towards defraying the expenses thereof.

Passed 25th March 1840.

Preamble.

WHEREAS the Building occupied as a Court House and Gaol in King's County is found insufficient and unfit for the purposes of a Gaol, and it is expedient and necessary that a Gaol should be built separate and apart from the said Building;

Justices authorized to contract for building a Gaol.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace for King's County, at any General Sessions of the Peace hereafter to be holden, or at any Special Sessions for that purpose convened and holden, or the major part of them so assembled, be and they are hereby authorized and empowered to contract and agree with able and sufficient workmen for erecting and finishing a Building within the said County, suitable and proper for a Common Gaol, and to agree for the payment of such sum or sums of money as to them may seem meet, in order to carry the said object or purpose into effect, and in such manner and form as shall be approved of by the said Justices.

And assess for not exceeding £500.

II. And be it further enacted, That the said Justices of the Peace for the said County are hereby authorized and empowered to make a rate and assessment of any sum not exceeding five hundred pounds, as they in their discretion may deem necessary, towards defraying the expense to be incurred in erecting, building and finishing the said Common Gaol; the said sum to be assessed, levied, collected and paid in such proportions and in the same manner as any other County rates for public charges can or may be assessed, levied, collected and paid under and by virtue of any Act or Acts which at the time of making such assessments may be in force in this Province for assessing, levying and collecting of rates for public charges.

CAP. XXXVIII.

An Act to authorize the Justices of the Peace in and for the City and County of Saint John to erect a building in the said City for a Common Gaol, and to raise a sum of money for erecting and completing the same.

Passed 25th March 1840.

Justices by themselves or a Committee of management authorized to contract for the erection of a common Gaol.

I. BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace for the City and County of Saint John, at any General Sessions of the Peace hereafter to be holden, or at any Special Sessions to be for that purpose convened, or the major part of them so assembled, be and they are hereby authorized and empowered, by themselves, or by

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Contracted
Made this act

by one or more Committees of Management for that purpose to be appointed, to contract and agree with able and sufficient workmen for erecting and finishing a building within the said City, suitable and proper for a Common Gaol, for such sum and sums of money, not however exceeding in the whole the sum of five thousand pounds, and in such manner and form as shall be approved of by the said Justices.

II. And be it enacted, That the said Justices at any General Sessions of the Peace for the said City and County, be and they are hereby authorized and empowered to borrow such sums of money as may from time to time be required for the erecting and completing of the said Building, not exceeding in the whole the sum of three thousand pounds, to be paid off and discharged in manner hereinafter mentioned, the same to be taken in loans of not less than one hundred pounds, and that Certificates or Notes in the following form, or to that effect, shall be prepared and delivered to the persons from whom such loans may be obtained, to wit :

Justices authorized to borrow money not exceeding £3000.

Number —

City and County of Saint John, ss. These are to certify that (*here insert residence and addition of lender*) hath lent and advanced to the Justices of the Peace for the said City and County the sum of One Hundred Pounds, Currency, which sum is payable to him, or to his order, together with Interest at and after the rate of _____ per centum per annum, pursuant to an Act of Assembly made and passed in the third year of the Reign of Her Majesty Queen Victoria, intituled "An Act to authorize the Justices of the Peace in and for the City and County of Saint John, to erect a building in the said City for a Common Gaol, and to raise a sum of money for erecting and completing the same." Dated the _____ day of _____ in the year of our Lord one thousand eight hundred and forty

Form of Notes or Certificates to be given to the lenders.

By Order of the Sessions,

A. B. *Presiding Justice.*

C. D. *Clerk.*

Which same Certificates or Notes shall be signed by the Justice presiding at the said Sessions, and countersigned by the Clerk, and shall be respectively numbered according to the time in which the same may be made and issued, and a Memorandum thereof shall be duly entered by the Clerk in the Minutes of the said Court.

III. And be it enacted, That the said Certificates or Notes shall be negotiable in the same manner as Promissory Notes, and that the holders thereof shall be entitled to receive Interest for the same annually, to be paid by the Treasurer of the said County out of the assessments hereinafter mentioned.

Certificates to be negotiable and to bear interest.

IV. And be it enacted, That it shall and may be lawful for the said Justices of the Peace of the said City and County, and they are hereby authorized and required to make a rate and assessment each and every year of such sum of money, besides the charge for assessing and collecting, as will discharge the interest of the loan contracted by virtue of this Act, until the total amount of the loan and all interest thereon heretofore obtained by virtue of the Act of Assembly made and passed in the ninth year of the Reign of His Majesty King George the Fourth, intituled "An Act to authorize the Justices of the Peace of the City and County of Saint John to raise a sum of money for completing the Court House of the said City and County," and until the total amount of the loan, and all interest thereon heretofore obtained or to be obtained by virtue of the Act of Assembly made and passed in the first year of the Reign of Her Majesty Queen Victoria, intituled "An

Justices to assess for the amount of interest and charges of assessing until Loans obtained under Acts 9 G. 4, c. 2, and 1 Vie. c. 16 are paid off, and £400 and charges thereafter until loan contracted under this Act be paid off.

“An Act to authorize the Justices of the Peace in and for the City and County of Saint John, to establish a House of Correction for the said City and County, and to extend the provisions of two Acts of Assembly to the same,” are severally paid off and discharged: and from and after the time of payment and discharge of the total amount of such several loans so contracted by virtue of the said several Acts, it shall and may be lawful for the said Justices, and they are hereby authorized and required to make a rate and assessment not exceeding four hundred pounds in each and every succeeding year, besides the charge for assessing, and collecting, for the purpose of discharging the principal and interest of the loans contracted by virtue of this Act, until the same shall be paid off; all which said several sums of money are to be assessed, levied, collected and paid in such proportions and in the same manner as other County Rates for public charges are, or may be assessed, levied, collected and paid, under and by virtue of any Act or Acts made or to be made for assessing, levying and collecting Rates for public charges.

Monies to be assessed as other County rates.

Monies after paying yearly interest to be applied in discharging the loans in order according to the numbers.

Treasurer to give public notice for calling in the Notes.

County Treasurer to receive one per cent for his services.

V. And be it enacted, That the monies so to be assessed as aforesaid shall from time to time be applied, after discharging the yearly interest due on the several loans contracted by virtue of this Act, to the payment of the principal sums mentioned in such Certificates or Notes, in due order according to the numbers, beginning with number one; and that the Treasurer of the said County shall from time to time give one months public notice, by advertisement in one of the Newspapers published in the said City, for calling in such and so many of the Certificates or Notes as he is prepared to pay off, specifying the numbers in such advertisement, and that from and after the expiration of the time mentioned in the said notice the interest on such Certificates or Notes shall cease.

VI. And be it enacted, That the County Treasurer shall be entitled to have and retain the sum of one pound per centum on every one hundred pounds, for his services in receiving and paying the said monies, so to be assessed under the provisions of this Act, and no more.

CAP. XXXIX.

An Act to amend an Act, intituled “An Act to repeal all the Laws now in force relating to Parish Schools, and to make other provisions respecting the same.”

Passed 25th. March 1840.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the sixth section of an Act made and passed in the seventh year of the Reign of His late Majesty King William the Fourth, intituled “An Act to repeal all the Acts now in force relating to Parish Schools, and to make other provisions respecting the same,” be and the same is hereby repealed; and in lieu thereof, Be it enacted, That the Justices of the Peace, at their General Sessions respectively, shall and they are hereby required, twice in each and every year, to certify in one general Schedule all such certificates of the Trustees of Schools as shall or may be laid before them at their General Sessions, under and according to the provisions of the said Act, and shall transmit the same to the Secretary of the Province; upon which Schedule there shall be allowed and paid towards the support of each School a sum of money at and after the rate of twenty pounds per year for each School taught by the Schoolmaster or Schoolmistress named in such Schedule, that is to say: For a School kept six months, pursuant to agreement as aforesaid, ten pounds; and for a School kept one year, twenty pounds;

7 W. 4, c. 8, s. 6, repealed.

Justices to certify twice in each year all the certificates of the Trustees.

An allowance at the rate of £20 per annum for each school to be drawn from the Treasury.

See 6th vic - c. 38