

Assessment of £200 to be annually made to pay interest, expenses, and a portion of the principal.

III. And be it enacted, That the said Justices in General Sessions shall make a rate or assessment of two hundred pounds in the present year, and a rate and assessment of a like sum in each succeeding year, besides the charges for assessing and collecting, for the purpose of discharging the interest due on the said loans, and so much of the principal as the residue of such annual sum will amount to, until the same shall be paid off, the same to be assessed, levied, collected and paid in such proportion and in the same manner as any other County rates for public charges, by virtue of any Act or Acts made or to be made for that purpose.

Money to be paid to the County Treasurer and applied under directions of the Justices.

IV. And be it enacted, That the monies so to be assessed as aforesaid, shall be paid to the County Treasurer, and shall be applied by him on the order of the said Justices in Sessions towards discharging the interest due on the said certificates or notes, and to the payment of the principal sums in due order, according to the numbers, beginning with number one, on one calendar month's notice by advertisement in one of the City newspapers, calling in such and so many of the certificates or notes as he may by the said order be directed to pay off; after the expiration of which notice all interest thereon shall cease.

Compensation of the County Treasurer.

V. And be it enacted, That the said County Treasurer shall be entitled to one per cent. for his services in receiving and paying the said monies so to be assessed under the provisions of this Act, and no more.

Act 4 W. 4, c. 26, repealed as to the City and County of Saint John.

VI. And be it enacted, That an Act made and passed in the fourth year of the Reign of His late Majesty King William the Fourth, intituled *An Act to provide for the safe keeping of County Records*, so far as the same applies to the City and County of Saint John, be and the same is hereby repealed.

CAP. XXIX.

An Act relating to the Public Debt of the Corporation of the City of Saint John.

Passed 11th April 1846.

Preamble.

‘ **W**HEREAS the Mayor, Aldermen and Commonalty of the City of Saint John, by their Petition, accompanied and confirmed by sundry detailed Accounts and Schedules, have satisfactorily shewn that during a long period of years ending in the month of September in the year of our Lord one thousand eight hundred and forty five, they have incurred a Debt in improving the Streets, Bridges and Ferries, in laying down Common Sewers, and in erecting Public Buildings, within the said City, for the convenience, health and accommodation of the Community, amounting in the whole to the sum of one hundred and fifteen thousand three hundred and sixty six pounds, and that the rents, annual profits and produce of such parts of the Corporate Property as are at present productive will, unless from some unforeseen circumstances, yield and pay an annual interest of five per centum beyond their ordinary expenses, and that there is a large portion of Land not yet leased, or producing any income to the Corporation; and further, that the income of the Corporation from ordinary Revenues will increase in proportion to the increase of population, whereby in a very few years the Corporation will be enabled to pay off the interest, and gradually reduce the principal of the Debt so incurred, and thereby not only save the property of the Corporation for the benefit of future generations, but prevent extensive taxation for future improvements in the City, and in the mean time that it is of importance to inspire confidence among the Creditors by securing to them the sum of five per centum annual interest on their claims, which it is believed (if it can be effected) they will readily accept of as full interest for the money loaned, or if they should not, that other persons could be found

' found willing to vest their money at that rate of interest : And whereas such confidence would be obtained by authorizing the Mayor, Aldermen and Commonalty of the City of Saint John to levy an annual assessment on the said City for any deficiency which might arise in the net annual income of the said Corporation to pay the said interest of five per centum : And whereas it is just and reasonable that such deficiency of interest (if any there shall be) should be made up by those who have received and are now enjoying the benefit of the outlay which occasioned the said Public Debt, and that the said Creditors should be made secure in the payment of the said interest ;'

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the said Mayor, Aldermen and Commonalty of the City of Saint John in Common Council convened, and they are hereby required in each and every year, between the first day of April and the first day of June, to order an assessment of such sum of money on the said City as shall amount to and make up the deficiency (if any) which may exist between the net annual income of the said Mayor, Aldermen and Commonalty, and such sum of money not exceeding five per centum per annum interest in the whole on the said Debt of one hundred and fifteen thousand three hundred and sixty six pounds, or any part thereof, so due by the said Mayor, Aldermen and Commonalty of the City of Saint John, or on such sum of money as may be borrowed by them to pay off the said Debt or any part thereof, not to exceed in the whole such interest of five per centum on the said sum of one hundred and fifteen thousand three hundred and sixty six pounds ; and every such assessment shall be assessed, levied and raised agreeably to the several Acts now in force or hereafter to be in force for the assessing, levying and collecting of County or Town or Parish rates, charges or expenses ; and when collected, the same shall be paid into the hands of the Chamberlain of the said City for the use of the said Mayor, Aldermen and Commonalty of the City of Saint John, to be by them applied to the sole purpose of paying off such deficiency of such interest ; provided that no assessment shall be made, under and by virtue of the authority given for the purposes aforesaid, of a greater sum in any one year than one thousand pounds currency, nor until the whole annual income from whatever source derived, (save and except the monies coming into the hands of the said Mayor, Aldermen and Commonalty arising from Acts of Assembly now in force, authorizing assessments for special purposes, together with the indispensable annual charges for Salaries and Contingencies,) shall be first applied towards the payment of such interest on the said Debt.

City Corporation in Common Council authorized annually to assess the City for not exceeding £1,000 to make up any deficiency in 5 per cent. on the Corporation Debt of £115,366.

Proviso.

II. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to affect any of the existing legal or equitable rights and privileges of the Freemen and Inhabitants of Carleton, on the Western side of the said City, which they now possess or are entitled to enjoy under and by virtue of the Charter of the said City.

Act not to affect rights of the Freemen and Inhabitants of Carleton.

III. And be it enacted, That it shall not be lawful for the said Mayor, Aldermen and Commonalty of the City of Saint John to contract or become bound for any further Debt or Debts, or borrow any further sum or sums of money while the said Debt of one hundred and fifteen thousand three hundred and sixty six pounds, or any part thereof, remains unpaid, or the loan of money which may be obtained by the said Mayor, Aldermen and Commonalty of the City of Saint John, for the purpose of paying the same or any part thereof shall remain unsatisfied ; and any contract, obligation or other instruments whatever, whereby any new Debt may be incurred by the said Mayor, Aldermen and Commonalty of the City

Corporation not to contract further debts until the said Debt be paid off.

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of Saint John, shall be and is hereby declared to be utterly null and void, except for the purposes contemplated by this Act.

CAP. XXX.

An Act relating to County and Parish Officers in the City and County of Saint John.

Passed 11th April 1846.

County and Parish Officers in receipt of public monies to give security.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That all Officers appointed, or who may be hereafter appointed for the City and County of Saint John, by the Justices of the Peace for the said City and County of Saint John, at any General Sessions of the Peace to be held for the said City and County, or any Parish in said City and County, under the authority of any Act of Assembly made or to be made for that purpose, whose duty shall be to collect or receive and pay over any public monies, shall be required by the said Justices at the time of receiving such appointment, to enter into Bonds with such good and sufficient Sureties, and in such sums of money as the said Justices may think proper to order; the same to be taken in the name of the Queen's Majesty, and to be conditioned for the payment of all monies which shall come into their hands, on the order of the said Justices, or otherwise, by virtue of their respective offices, and for the due and faithful performance of the duties of their office, and whenever found necessary, the said Bonds may be directed by the said Justices to be sued in the name of the Queen for the protection and benefit of the said City and County.

Accounts to be rendered and payments made when ordered.

II. And be it enacted, That every such County or Parish Officer shall, when required by the said Justices at any General Sessions of the Peace, or at any Special Sessions for that purpose to be appointed at such General Sessions, or to be called by any two of the said Justices, render full, true and detailed accounts of all public monies received and paid by him under the orders of the said Justices, or by the authority of any Act of Assembly, or otherwise, by virtue of their respective offices, and shall, in like manner whenever ordered, pay over any sum or sums of money which by such accounts shall appear to be due by such officer or to have come to his hands as such officer as aforesaid, to such person or persons as the said Justices in such order may appoint to receive the same; and in case of disobedience of any such order, or the same shall not be attended to within ten days after the service of such order, it shall and may be lawful for the said Justices to cause such disobedient or refractory officer, by warrant under the hand of the Chairman of the Sessions, and certified by the Clerk, to be brought before the said Justices, and if such disobedience or improper conduct be persisted in, then, or at any time afterwards, to commit such officer to the Common Gaol, without bail or mainprize, until such order or orders of the said Justices shall be complied with; and such proceedings of the said Justices against the said officer shall not in any case relieve the surety from liability on the Bonds so entered into by them as aforesaid.

Disobedience made punishable by imprisonment.

Proceedings not to relieve the sureties.

CAP. XXXI.

An Act to authorize the Justices of the Peace for the County of Saint John to make further provision for the payment of the Treasurer of that County.

Passed 11th April 1846.

Preamble.

‘ **W**HEREAS by the Laws now in force, the Sessions of the respective Counties in this Province are precluded from allowing to the County Treasurers respectively, for their services, per annum, any sum exceeding
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