

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1844. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1844.

7 Victoria – Chapter 40

An Act to enable the Justices of the Peace of the City and County of Saint John to pay off a portion of the Debts now due by the County of Saint John. Passed 13th April 1844.

Whereas sundry large Debts are now due by the said Justices of the Peace for the City and County of Saint John, and it is expedient to authorize them to raise by a Loan a sum not exceeding three thousand pounds, to be applied in part payment of such Debts;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the Justices of the Peace for the City and County of Saint John, at any General Sessions of the Peace for the City and County, to raise by Loans a sum of money not exceeding three thousand pounds, for the purpose of paying off, or in part paying off, debts now actually due by the said Justices of the Peace for the City and County of Saint John, to be paid off and discharged in the manner hereinafter mentioned, the same to be taken in Loans of not less than fifty pounds, and that Debentures in the following form, or to that effect, shall be prepared and delivered to the person or persons from whom such Loans may be obtained, viz:

Number

City and County of Saint John, ss.

These are to certify, that [here insert name, residence, and addition of lender] hath lent and advanced to the Justices of the Peace for the said City and County the sum of _____ pounds, currency, which sum is payable to him [or her as the case may be] together with lawful interest, pursuant to an Act of Assembly made and passed in the seventh year of the reign of Queen Victoria, intituled "An Act to enable the Justices of the Peace for the City and County of Saint John to pay off a portion of the Debts now due by the County of Saint John."

Dated the _____ day of _____ in the year of our Lord one thousand eight hundred and forty _____.

By order of the Sessions.

A. B., Mayor or Recorder.

Which same Debentures shall be signed by the Mayor, or in case of the absence of the Mayor, by the Recorder of the said City for the time being, as Justices of the Inferior Court of Common Pleas and of the Peace for the said City and County, and countersigned by the Clerk; and shall be respectively numbered according to the time at which the same may be made and issued; and a memorandum thereof shall be submitted by the Clerk at the next General Sessions, and the same be entered on the Minutes of the said Court.

II. And be it enacted, That the monies so authorized to be borrowed by the said Justices shall from time to time be paid to and received by the County Treasurer, and shall be paid out by him from time to time when required, by the order of the said General Sessions, in such sum or sums

as they may think fit, for the purpose of paying off the debts aforesaid; and the said County Treasurer shall, at every General Quarter Sessions of the Peace for the said City and County, render a just and true account, and on oath, if required, of the sums of money received and paid by him on this account, separate and distinct from his other accounts.

III. And be it enacted, That the said holders of such Debentures shall be entitled to receive interest for the same annually, not exceeding six per cent, to be paid by the Treasurer of the County out of the assessments hereinafter mentioned, upon the orders of the said General Sessions, to be made in manner hereinafter mentioned.

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 of five hundred pounds in the present year, and a rate of assessment of a like sum in each and every succeeding year, besides the charge for assessing and collecting for paying off and discharging the Loans contracted for the purpose hereinbefore mentioned by virtue of this Act, until the same shall be paid off; the said several sums to be assessed, levied and collected in such proportions and in the same manner as any other County rates for public charges can or may be assessed, levied and collected, under and by virtue of any Act or Acts of Assembly made or to be made for assessing, levying and collecting County rates for public charges' as aforesaid, and when collected, shall be paid into the hands of the said County Treasurer, for the purposes of this Act.

V. And be it enacted, That the monies to be assessed as aforesaid shall from time to time be applied, after discharging the yearly interest due on the several principal sums mentioned in such Debenture, in due order, according to the number, beginning with number one; and that said County Treasurer shall, when so often as he may be directed by the said General Sessions of the Peace, give one month's public notice, by advertisement in one of the newspapers published in the City, for calling in such and so many of the Debentures as the said Justices are prepared to pay off; specifying the numbers in such advertisements, and the same by and under such orders as aforesaid shall pay off accordingly, and that from and after the expiration of such notice the interest on such Debentures shall cease.

VI. And be it enacted, That whenever the said Justices may receive any sum or sums of money as and for or on account of the said Debts due to the said County, the same shall be paid to and received by the said County Treasurer, and shall be paid out by him to the orders of the said General Sessions in such sums and at such times as the said Sessions may think fit, he rendering an account thereof in the same manner as in the case of monies hereinbefore mentioned; and it shall and may be lawful for the said Justices, in their said General Sessions, and they are hereby required to appropriate and apply such monies so as aforesaid received, for such debts from time to time in the payment of a certain number of the said debentures or notes, with the interest due thereon, in their due order as aforesaid, causing the like notice to be given thereof as aforesaid.

VII. And be it enacted, That the said County Treasurer shall be entitled to the sum of one pound five shillings per centum for his services in receiving and paying all the monies ordered to be assessed by and under the provisions of this Act, and no more.