

*Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1846.* Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1846.

9 Victoria – Chapter 28

**An Act to provide for the safe keeping of the Public Records of the City and County of Saint John. Passed 11th April 1846.**

Whereas by an Act of the General Assembly made and passed in the fourth year of His late Majesty King William the Fourth, intituled *An Act to provide for the safe keeping of County Records*, authority was given to the Justices of the Peace of the several Counties in this Province to erect suitable buildings for the safe keeping of the County Records, but not to exceed the sum of three hundred pounds for the same: And whereas such a building has become essential for the City and County of Saint John, owing to the entire want of accommodation in the present building where the County Records are kept, and the said sum of three hundred pounds is totally inadequate to purchase the ground, and erect a stone or brick building thereon, with a proper Safe in the same;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That in lieu of the powers contained in the said recited Act, it shall and may be lawful for the Justices of the Peace of the City and County of Saint John, at any General Sessions of the Peace hereafter to be holden, by themselves or by any Committee for that purpose to be appointed at such General Sessions, to contract and agree with any person or persons for the purchase of a lot or piece of Land in the City of Saint John, and for the erection of a suitable stone or brick building thereon, with a Safe for preserving the Books and other Records from fire; the basement story of which shall be used for the safe keeping of the Registry of Deeds and Wills, and other Public Records of the City and County; and the upper story of the said building to be used and appropriated from time to time for such public purposes as the said Justices may think proper; and the said contract to be entered into by the name of the Justices of the Peace for the City and County of Saint John, and in case of the non-performance of any of its provisions, the same may be sued by the said Justices by the name aforesaid.

II. And be it enacted, That for the purpose of defraying the expenses of the same, it shall be lawful for the said Justices at the same or at any subsequent General Sessions of the Peace as aforesaid, by themselves or by any Committee to be by them from time to time appointed for that purpose, to borrow a sum of money not exceeding one thousand pounds, to be paid and discharged in the manner hereinafter mentioned, the same to be taken in loans of not less than one hundred pounds, the interest to be paid semi-annually, videlicet, on the first day of July and the first day of January in each and every year; and that certificates or notes in the following form, or to that effect, shall be prepared and delivered to the persons from whom such loan may be obtained, videlicet:

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 one hundred pounds

currency, which sum is payable to him or his order, together with lawful interest, the interest to be paid semi-annually, videlicet, on the first day of July and the first day of January in each and every year, pursuant to an Act of Assembly made and passed in the ninth year of Her Majesty's Reign, intituled *An Act to provide for the safe keeping of the Public Records of the City and County of Saint John*. Dated the \_\_\_\_\_ day of \_\_\_\_\_, A. D. 184—.

By order the Sessions.

A.B.

C.D.  
Clerk

Mayor or Recorder.

Which same certificates or notes shall be signed by the Mayor of the said City for the time, or in case of his absence from the City, by the Recorder, and counter-signed 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 Court, and the same shall be negotiable as promissory notes, and be entitled to draw interest thereon semi-annually, on the first day of July and the first day of January in each and every year, and shall be paid out of the assessment hereinafter mentioned.

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.

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,

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.

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.