

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1860. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1860.

23 Victoria – Chapter 54

An Act to enable the City Council of the City of Fredericton to raise Funds to discharge the Debt of the said City. Passed 9th April 1860.

Section.

1. City Council authorized to issue Debentures to amount of £2,000 to pay City debts.
2. City Clerk to report and record the numbers and dates.
3. Conditions and authentication of the Debentures.
4. To be negotiable as promissory notes.
5. Pledge of City faith and credit and revenues for redemption.

Section.

6. No Debenture to issue for interest or deficiency of ordinary income.
 7. Receipt and application of proceeds of Debentures.
 8. Annual assessment for principa and interest.
 9. Application of proceeds of such assessment.
- Schedule.

Whereas the Debt of the City of Fredericton has been accumulating for some years, and has now reached an amount which, being unfunded, it is inconvenient to discharge out of the annual assessments;—

Be it therefore enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. The City Council of the City of Fredericton are hereby authorized and empowered to make and issue from time to time, as they may deem expedient, Debentures in the form specified in Schedule A, bearing interest at a rate not exceeding six per cent per annum, payable half-yearly, and redeemable at periods not exceeding ten years from the dates of the issuing thereof; and the said City Council may sell the same from time to time, or apply them in discharge of debts due from the said City, on such terms and conditions as they may judge best, provided that the whole amount of such Debentures shall not exceed the sum of two thousand pounds currency of New Brunswick.
2. The City Clerk shall forthwith report to the City Council the number and date of the Debentures issued, with the names of the persons receiving the same, and a record thereof shall be entered in the Minutes of the City Council.
3. The Debentures shall be issued payable in New Brunswick currency, redeemable, with the Coupons attached, at the office of the City Treasurer in Fredericton; they shall be signed by the Mayor and City Clerk for the time being, and verified by the Seal of the City of Fredericton, which Seal the City Clerk shall use as often as may be necessary for the purpose aforesaid: The

Debentures shall be numbered consecutively in the order in which they are issued, beginning with number one, and shall be issued for the sum of twenty five pounds each; provided that the Coupons may be signed by the Mayor of the City for the time being alone.

4. The said Debentures shall be negotiable and transferable in the same manner as promissory notes, by indorsement, naming the party to whom the same is transferred on each transfer of the said Debentures; and the holders thereof shall be entitled to receive interest for the same semi-annually, to be paid by the City Treasurer as hereafter mentioned.

5. The faith and credit of the City, and the ordinary revenues thereof derived from all sources, and the proceeds of any assessment now or hereafter to be assessed, levied and collected for the purpose of paying the said Debentures and the interest thereon, shall be and they are hereby declared pledged to any and every holder of the said Debentures, for payment of the same.

6. No Debenture shall be issued for payment of interest, or for any deficiency in the ordinary income of the City; but payment of the interest on the said Debentures shall be made from the net income, rents and receipts of the said City, so far as the same shall extend, and if that shall not be sufficient, from an assessment on the inhabitants and owners of property in the said City.

7. The moneys arising from the sale of such Debentures shall be paid to and received by the City Treasurer, and shall be applied by him to the discharge of the now existing Debts of the said City, and for no other purpose.

8. The City Council may make a rate and assessment of not more than three hundred pounds in each and every 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; the said several sums to be assessed, levied, collected and paid in the same manner as the other City Taxes are assessed, levied and collected by virtue of any Act in force for that purpose.

9. The moneys so to be assessed shall from time to time be applied, after discharging the interest due on the said Debentures, to the payment of the principal sums mentioned in such Debentures, in due order, according to their priority, and the City Treasurer shall from time to time give not less than one month's notice by advertisement in one of the Newspapers published in the said City, for calling in so many of the said Debentures as he is prepared to pay off, specifying the numbers in such advertisement; and at the expiration of such notice the interest on such Debentures shall cease.

SCHEDULE A.

No. _____

City of Fredericton.

£25

The City of Fredericton promises to pay at the office of the City Treasurer in the said City, to _____ or Order, the sum of twenty five pounds current money of New Brunswick, in _____ years from the date hereof, with interest from the date, at the rate of six per cent per annum to be

paid half-yearly on the presentation of the proper coupons for the same as hereunto annexed, on the ___ day of _____ in each year at the said office.

In testimony whereof, we, the Mayor and City Clerk, by virtue of the authority vested in us by the Act of the General Assembly, intituled *An Act, &c.* have hereunto set our hands, and [L.S.] affixed the Seal of the said City of Fredericton aforesaid, this ___ day of _____ A. D. 18__.

A. B. Mayor.
C. D. City Clerk.

FORM OF COUPON.
City of Fredericton.

Debenture, No. _____ £25
Fifteen shillings, payable at the office of the City Treasurer in Fredericton, being six months interest on the above Debenture, due ___ day of _____ A. D. 18__.

A. B. Mayor.