

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1861. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1861.

24 Victoria – Chapter 31

An Act for defraying the expenses of laying down a Sewer in Union, Saint Patrick, and Clarence Streets, in the City of Saint John. Passed 12th April 1861.

Section.	Section.
1. Authority to borrow \$4,800 and issue debentures;	5. Money collected to be paid to the Chamberlain: Accounts and application of such money
2. Which shall be negotiable and bear interest.	6. Balance to be transferred to Sewer repair fund.
3. Receipt and application of money borrowed	7. No right of drainage into common sewer without permission and payment.
4. Annual assessment to pay interest and and cost of assessing, &c.	

Whereas the Mayor, Aldermen and Commonalty of the City of Saint John have been obliged, at an expense of one thousand two hundred pounds, to lay down a Common Sewer through parts of Union, Saint Patrick, and Clarence Streets, in the said City, from the Main Sewer at the corner of the property owned by Michael Riley in Union Street, to Courtney Bay, for the purpose of carrying off the water flowing from other parts of the said City;—

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

1. It shall and may be lawful for the Mayor, Aldermen and Commonalty of the City of Saint John, in Common Council convened, to borrow the sum of four thousand eight hundred dollars in loans of not less than four hundred dollars each, and to issue Debentures to the lender or lenders thereof, with or without Coupons for interest, in such form as they may deem expedient; which Debentures shall be sealed with the Common Seal of the said Corporation, and signed by the Mayor and Common Clerk, and consecutively numbered according to the times at which they shall be issued; and a record of the same shall be entered by the Common Clerk in the Minutes of the Common Council.
2. The said Debentures shall be negotiable in the same manner as promissory notes payable to bearer, and the respective holders thereof shall be entitled to receive interest upon the same semi-annually at a rate not exceeding six per cent. per annum, to be paid by the Chamberlain as hereinafter provided.
3. All moneys loaned to the said Corporation under this Act, shall be paid by the lenders thereof to the Chamberlain, and shall be by him paid to the contractors or workmen who have been or shall be employed by the Common Council to lay down, complete, finish or repair the said Sewer,

or the same shall be employed by the said Mayor, Aldermen and Commonalty of the City of Saint John, in repaying or reimbursing any money, or redeeming or paying off any debenture or security that may have been paid, issued, or appropriated for the purposes of the said Sewer.

4. The said Mayor, Aldermen and Commonalty of the City of Saint John, shall have power to order and direct a yearly assessment on that part of the City of Saint John lying on the eastern side of the Harbour, and the inhabitants thereof, of the sum of four hundred dollars, and such sum as shall from time to time be found necessary to meet the yearly interest on the said Debentures, besides the costs and charges of assessing and collecting the same; which assessment shall be assessed, levied, and collected in the same manner as any assessment made under and by virtue of an Act of Assembly made and passed in the twenty second year of the Reign of Her present Majesty, intituled *An Act relating to the levying, assessing, and collecting of Rates in the City of Saint John*.

5. The moneys so assessed and collected shall be paid to the Chamberlain of the said City, who shall keep a separate account thereof, and the same shall be applied from time to time to the payment of the principal and interest of the said Debentures, one of which shall be redeemed every year in due order according to the number, beginning with the number one; and the Chamberlain so often as he shall be required by the Common Council, shall give one month's notice by advertisement in one or more of the public newspapers of the said City, calling in such and so many of the said Debentures as the said Common Council may be prepared to pay off, specifying the numbers thereof, and the same shall pay off accordingly, and from and after the expiration of the time appointed by the said notice, the interest on such Debentures shall cease to accrue.

6. Any moneys that may remain in the hands of the said Chamberlain after the payment of the said Debentures, shall be transferred to the fund for the repair of Sewers on the said eastern side of the said City.

7. No person shall have the right or privilege of carrying or conducting any drain or sewer from any private lot or premises into the said Common Sewer, without permission first had and obtained from the Mayor, Aldermen and Commonalty of the City of Saint John, and the payment of such sums of money as they the said Mayor, Aldermen and Commonalty may determine, and all sums received for such purpose shall be paid to the Chamberlain of the said City, and placed to the credit of the fund mentioned in the sixth section of this Act.