

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1864. Fredericton, NB: G. E. Fenety, Printer to the Queen's Most Excellent Majesty, 1864.

27 Victoria – Chapter 50

An Act to explain and amend an Act intituled *An Act to authorize the extension of King's Street, in that part of the City of Saint John called Carleton.* Passed 13th April, 1864.

Section.

1. Commissioners, how appointed; duty of Commissioners.
2. Commissioners to make Report, and file with Common Clerk.

Section.

3. When Report filed, Mayor, &c. to order assessment.

Whereas doubts have arisen upon the construction of the seventh Section of an Act made and passed in the twenty second year of the Reign of Her present Majesty, intituled An Act to authorize the extension of King's Street, in that part of the City of Saint John called Carleton, as to the payment of interest on the several payments contemplated in the said Act: And whereas no remedy is given to the respective persons named in the Commissioners' Report, for the recovery of interest upon the respective sums of money due such persons named in said Report;—

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

1. That the Lieutenant Governor in Council shall appoint three Commissioners, whose duty it shall be without any unnecessary delay, to examine the Report of said Commissioners first herein named, and ascertain the amount of money awarded to the said parties named in said Report, when the same or any part thereof was paid to the said parties entitled thereto; and that the said Commissioners so to be appointed under this Act, shall award and allow to the said persons mentioned in said Report so entitled to receive certain sums of money, lawful interest upon all sums not paid them, such interest to be calculated from one year from the time of filing such Report of said first herein mentioned Commissioners; the said Commissioners to be appointed by this Act shall, in awarding and allowing such interest, take into consideration any benefit that the same persons so to be entitled to said interest may have received from the user of their property, required under the Act first herein mentioned, since the time of filing said Report.
2. That said Commissioners to be appointed by this Act, shall make out a Report of the amount of interest they award to each of said parties entitled to the same, and shall file said Report with the Common Clerk of the City of Saint John, at the office of the said Common Clerk.
3. That upon the filing of such Report, the Mayor, Aldermen and Commonalty of the City of Saint John, shall order an assessment for the full amount, of said interest to be assessed, levied and collected from the rate payers of that part of the City of Saint John called Carleton; which said

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interest, when so collected, shall be paid to the said parties entitled to the same, on application therefor.