

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1866. Fredericton, NB: G. E. Fenety, Printer to the Queen's Most Excellent Majesty, 1866.

29 Victoria – Chapter 21 (Session 1)

An Act to facilitate the construction of a Deep Sea Wharf at or near the southeastern end of Water Street in the Town of Saint Andrews, in the County of Charlotte. Passed 16th April, 1866.

Section.

1. Justices authorized to contract loan.
2. Debentures, when and by whom issued; proviso.
3. Issue of Debentures not to exceed \$10,000.
4. Sinking fund, how formed.
5. Sessions may assess District for payment of sums borrowed.

Section.

6. Debentures, by whom signed and countersigned. Seal of Sessions to be affixed.
7. Public meeting to be held and votes taken whether this Act be adopted.

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

1. The Justices of the Peace for the said County of Charlotte are hereby authorized to contract a loan on the credit of that part of the Parish of Saint Andrews which lies south and southeasterly of the Saint John Road, commencing at Chamcook Bridge and extending westerly to the shore of the River Saint Croix, in the said Parish of Saint Andrews, for an amount not exceeding ten thousand dollars, which sum, or any part thereof, when obtained, shall be applied by the said Justices as they shall deem most advisable for the interests of the said District, in aiding and facilitating by loan, bonus, donation, or otherwise, in the construction of a Deep Sea Wharf at or near the southeastern end of Water Street in the said Town of Saint Andrews, in the County of Charlotte.
2. Certificates of Debt to be called Debentures, payable in current money of this Province, to be numbered consecutively, commencing with number one, with Coupons annexed, bearing interest at six per cent. payable annually, at such place as shall be specified therein, may be issued from time to time as the work of construction proceeds, in such form, authenticated as hereinafter directed, payable at such periods, in such amounts, and on such conditions, as the said Justices of the Peace at any General or Special Sessions may prescribe, the principal of such Debentures to be paid in full at a period not exceeding twenty years to the holder thereof; and the real estate, personal property and incomes in said District, liable to be assessed for ordinary County and Parish rates, may be assessed from year to year as the said Justices may at any General or Special Sessions order and direct, for all the purposes of this Act, provided the amount so to be assessed under the provisions hereof, shall not in any one year exceed the sum of fifteen hundred dollars.
3. The amount of Debentures that may be issued under the provisions of this Act shall not exceed the sum of ten thousand dollars.

4. In case the said Justices of the Peace shall obtain any money under any of the provisions of this Act, they are hereby authorized and required to form a sinking fund of one and one-half per cent. on the amount of the Debentures issued to aid in the redemption of said Debentures, and the interest accruing thereon; the amount arising from such sinking fund to be annually invested in the purchasing in of said Debentures, or in Provincial Debentures, together with all interest arising from said fund.

5. All sums of money and the interest thereon, authorized to be raised, borrowed, loaned or obtained under any of the provisions of this Act, may be assessed upon said District by any General or Special Sessions, and levied and collected in the same manner in all respects as other Parish and County rates, and shall be paid as the said Justices of the Peace may direct for the purposes of this Act.

6. All Debentures issued under the provisions of this Act shall be signed by the Chairman of the General or Special Sessions which orders their issue, and countersigned by the Clerk of the Peace for the said County for the time being, and have the Seal of the General Sessions of the said County affixed thereto; the number, date and amount of all Debentures issued under this Act shall be entered in the Records of the said Sessions.

7. Any two of Her Majesty's Justices of the Peace of the said County of Charlotte, and resident in the Parish of Saint Andrews, by public notice in one or more of the public Newspapers published in the Town of Saint Andrews, and also by printed handbills, to be by them posted in three or more of the most public places in the said District, shall make known to the public that they call together and will hold a public meeting of all persons liable to be assessed under the provisions of this Act, at a time and place to be in such notice specified, and which time shall not be less than ten days from the time of posting up and publishing such notices; and on the day and hour, and at the place in such notices mentioned, the said two Justices shall hold such meeting and shall preside at the same, and from notices in writing to be furnished to them, and then and there by parties present and liable to be assessed under the provisions of this Act, they shall then and there make a list containing the names so liable and present, with columns thereon on which to enter opposite such names "yea" or "nay," as the vote may be; and not before four of the clock in the afternoon of the same day, shall then and there openly and publicly put the question to the parties present whose names shall have been entered in the said lists, whether this Act shall be adopted by them, and shall take the votes of the parties present whose names are so entered on the said list, and none others; and if it shall appear to the said Justices that the parties present and voting in the affirmative, represent two-thirds of the real and personal property and incomes so represented by the parties present at such meeting and liable to be assessed under this Act, to be estimated by the Parochial assessment last made, then the said two Justices shall forthwith certify the same to the Lieutenant Governor and Council, and His Excellency the Lieutenant Governor in Council shall thereupon announce the same by Proclamation in the Royal Gazette, whereupon this Act shall be *ipso facto* in full operation, force, and effect; and in case of any dispute as to the qualification of any person to be entered by name on the said list, the said Justices shall and may decide the same on the oath of the parties, or any other evidence, which oath the said Justices are hereby authorized to administer.