

Laws of Her Majesty's Province of Newfoundland, passed in the year 1863.

26 Victoria – Chapter 6

An Act to Provide for the Sewerage of the Town of St. John's. (Passed 25th March, 1863.)

Whereas by an Act passed in the Fifteenth Year of Her present Majesty, entitled "An Act to Consolidate and Amend the Saint John's Rebuilding Acts," it was, amongst other things, provided that Drains and Sewers should be constructed in the Town of St. John's, the Cost whereof should be defrayed By Local Assessment; and whereas such provision has never been carried into effect, although, by reason of the increase in the Size and Population of the said Town, an efficient system of Drainage has become more than ever necessary for the health and comfort of the Inhabitants:

Be it therefore Enacted by the Governor, Legislative Council and Assembly, in Legislative Session convened, as follows:

- I. It shall be lawful for the Board of Works, subject to the Direction of the Governor and Council, to Open and Construct, throughout the said Town, and the several Lanes, Places, and Streets thereof, such and so many Drains and Sewers as may be necessary for the efficient Drainage and Sewerage of the same.
- II. Such Works shall, as far as practicable, be performed by Contracts to be entered into upon Tenders for the same, and such Tenders shall be made upon reasonable notice to be given in the public Papers; and where the Works shall be performed otherwise than by Contract, the approval of the Governor in Council shall first be had for that purpose: Provided that no larger sum than Five Thousand Pounds shall be expended on the said Works in any one year.
- III. For the purpose of raising the necessary funds for Defraying the Cost of such Works, it shall be lawful for the Receiver General to raise by Loan, by means of Tenders upon Public Notice as aforesaid, a sum not exceeding, in the whole, Fifteen Thousand Pounds, for which Loan Debentures shall be issued, bearing Interest at a rate not exceeding Five per cent, per Annum, and payable at the Expiration of Twenty-five Years from the issuing thereof, and such Debentures shall be in the form prescribed in the Schedule annexed, and shall be Signed by the Receiver General and Countersigned by the Colonial Secretary.
- IV. The Interest of such Debentures shall be defrayed, first by the Crown Rent upon the Land in St. John's heretofore the Site of the old Court House, and upon any other Crown Lands in the said Town, the Rents of which have not heretofore been paid into the general Revenue of the Colony and, secondly, by an addition to the Assessments and Rates annually payable under the Acts for the Incorporation and Management of the General Water Company; such addition to be made in manner prescribed in the said Acts, and to include proportionate Annual Assessments upon the Ground Rents shown, by the Revised Returns of the Appraisers of the Water Company, to be payable upon Lands within the limits of said Town, as defined by the St. John's Rebuilding Act.

V. In order to the Imposition of the Assessment upon Ground Rents, the Appraisers of the General Water Company shall, in their Annual Appraisement, return the amount of such Ground Rents, and the Names of the Parties respectively receiving the same.

VI. The Funds, for the Payment of the said Debentures shall be raised by one or more Assessments upon the Proprietors in perpetuity of the Lands situate within the limits above defined, in proportion to the value of their respective Properties; and for the purpose of ascertaining and recovering the amount of such Assessment, it shall be lawful for the Governor in Council, from time to time, to make such Orders as they shall consider necessary for Effecting and Revising an Appraisement of the said Lands, and for the Imposition and Collection of the said Assessments: Provided that no one of such Assessments shall be Made or Levied until after the expiration of Twenty-five Years after the passing of this Act.

VII. The Annual Assessment for defraying the Interest upon such Debentures shall be recovered by the Directors of the General Water Company, by the means prescribed in the Acts for the Incorporation and Management of the said Company, and shall be, by the said Directors, paid over to the Receiver General, to be by him applied as a distinct and separate fund for the purposes of this Act.

VIII. All Assessments upon Ground Rents under this Act shall be held to be Landlords Taxes, and shall be paid by the Ground Landlord, any provision in any future Contract to the contrary notwithstanding.

SCHEDULE.

I, A. B., of _____ Receiver General of Newfoundland, hereby certify that I have received, by way of Loan, from C. D., £ _____ bearing Interest payable Half-yearly, at the rate of Five per cent, per Annum; and I further certify that the said principal sum of £ _____ will be Repaid to the said C. D., at my Office, at St. John's, on the expiration of Twenty-five Years from this date.

Given under my Hand at St. John's, this _____ day of _____ A.D., 186__

A. B.,
Receiver General.

Certified
E. F.,
Colonial Secretary.