

AN ACT

To authorise the Governor of Vancouver Island to borrow the sum of Fifty Thousand Pounds on the security of the General Revenue of the said Colony.

PREAMBLE.

WHEREAS it is expedient to raise by loan secured upon the General Revenue of the said Colony funds for the construction of Roads and other Public Works in the said Colony, and also to pay off a temporary loan of One Hundred Thousand Dollars, contracted in conformity with "The Temporary Loan Act, 1866," for the purpose of constructing certain Roads and erecting certain Buildings;

ENACTING CLAUSE.

BE IT THEREFORE ENACTED by the Governor of the Colony of Vancouver Island and its Dependencies, by and with the advice and consent of the Legislative Council and Assembly thereof, as follows:

THE GOVERNOR MAY ISSUE DEBENTURES TO THE AMOUNT OF £50,000.

1. It shall be lawful for the Governor for the time being of the said Colony from time to time or at any time hereafter to cause to be made out and issued Debentures secured upon the General Revenue of the said Colony for such sum or sums of money not exceeding Fifty Thousand Pounds (£50,000) Sterling in the whole as may be required for the purpose of constructing roads and other public works within the said Colony and for the purpose of redeeming the Debentures issued in conformity with the "Temporary Loan Act, 1866."

2. All Debentures made out and issued under this Act shall bear interest at the rate of Six Pounds (£6) Sterling per annum, payable half-yearly, and shall be redeemable and redeemed at the expiration of twenty years from the date hereof.

3. Every Debenture shall be for any sum or sums not less than One Hundred Pounds (£100) Sterling, which the said Governor shall determine, and which together with the interest thereon shall be payable in London at the offices of the Agents General for the time being for Crown Colonies or at the Treasury of the said Colony.

4. The bearer of any of the said Debentures may alter the place of payment of the principal and interest to either the Treasury at Victoria or the office in London of the Agents General for Crown Colonies by giving six months previous notice in writing terminating on the first day of January or the first day of July at the previous place of payment (the Treasury at Victoria or office in London of the Agents General aforesaid as the case may be), of his will to make such alteration and causing the officer acting as Treasurer for the time being or the said Agents General in London (who is and are hereby required so to do) to endorse on such Debenture a memorandum of the alteration.

5. All Debentures made out and issued under this Act shall be entered in a register to be called the Debenture Register, one copy thereof shall be kept by the Agents General at their offices in London and another copy thereof by the Auditor of the said Colony, and such Debentures shall be deemed a primary charge upon all the Revenues of the said Colony from whatever source arising, and all interest thereon and the principal when due shall be paid to the Treasurer of the said Colony out of such revenue under warrant to be issued by the said Governor in priority of all demands thereon except the charge and expenses of the collection thereof.

6. The said Debentures shall be signed by the Agents General for Crown Colonies for and on behalf of the Colonial Government, and shall be in the form set forth in the Schedule to this Act marked A, and shall bear date on the day of the issuing thereof, and shall be numbered arithmetically beginning with number one and so proceeding in arithmetical progression ascending, wherein the common excess or difference shall be one.

7. Interest Coupons in the form marked B in the said Schedule shall be attached to each of the said Debentures and shall be signed by the Agents General on behalf of the Government.

8. The said Debentures shall be made payable to the bearers thereof and shall pass by delivery only and without any assignment or endorsement, and the holder or bearer of every such Debenture for the time being shall have the same rights and remedies in respect of the same as if he were expressly named therein.

9. It shall be lawful for the said Governor to authorise the whole or any portion of the said Debentures to be negotiated, contracted for, or sold by the Treasurer or the Agents General for Crown Colonies, and at such times, in such sums, and in such manner as the said Governor may direct.

10. All moneys issued under this Act shall be paid in such manner as the said Governor shall prescribe to the Treasurer of Vancouver Island and shall by him be placed to the credit of an account to be called "The Vancouver Island Road and Public Works Account," to be applied

for the purpose of surveying and constructing roads and other public works within the said colony, and in or towards the re-payment of any sums which may be hereafter borrowed for and expended in such surveying, construction and improvements and to no other purposes whatsoever, and the said moneys shall be accounted for in the same manner as if they formed part of the current revenue of the said colony.

11. The said Governor shall provide for the redemption of the said Debentures by authorising and directing the Treasurer of the said colony to appropriate half-yearly in every year out of the general revenue of the colony such a sum as shall be equal to five per cent. on the total of the principal sums for which Debentures shall from time to time have been issued and be for the time being outstanding, and after having paid the half year's interest thereupon shall invest or cause to be invested the residue thereof as a sinking fund for the final extinction of the debt, and shall invest or cause to be invested the dividends, interest or annual produce arising from such investment so that the same may accumulate by way of compound interest. All sums paid to the account of the sinking fund and all interest or dividends arising therefrom shall be invested in the name of trustees in the purchase of Imperial or Colonial Government securities, the nature of such securities and the selection of such trustees shall be left to Her Majesty's Principal Secretary of State for the Colonies.

12. Provided nevertheless that it shall be lawful for the said Governor from time to time to authorise the Agents General for the time being for Crown Colonies or the Treasurer of the colony for the time being to re-purchase the said Debentures to the amount of such moneys as the said Governor may by any Proclamation hereafter to be issued and passed by him out of the current revenue of the colony appropriate for that purpose, and for the trustees of the said sinking fund to make use thereof for the purpose of withdrawing Debentures from the market by purchase, and all Debentures so re-purchased shall be forthwith cancelled and destroyed and no re-issue of Debentures shall be made in consequence of such purchase and destruction.

13. From and after the date of any and every such re-purchase of Debentures as last aforesaid the amount then payable to the sinking fund shall from time to time be reduced in proportion to the reduced amount of the Debentures for the time being remaining unredeemed and any moneys remaining in the said sinking fund after the loan thereby sanctioned is fully paid and satisfied shall be forthwith paid over to the Treasurer and accounted for as general revenue.

14. It shall be lawful for any trustees, executors, administrators or guardians having the disposition of any trust moneys to purchase any such Debentures by and out of any such trust moneys, and every such purchase shall be deemed a due investment of such trust moneys.

15. It shall not be necessary for the said Colonial Treasurer or any other person acting for or on behalf of the Government of the said colony to notice or regard or enquire into the trusts to which any such Debentures shall be liable, or the rights or authority of any person being the actual holder or bearer of such Debentures as aforesaid; but payment to the actual holder or bearer thereof or his lawful agent shall be deemed in all cases due payment unless otherwise specially agreed in writing by and under the hand of the Treasurer, Agents General or other person acting as aforesaid for the time being entrusted with the sale of such Debentures.

16. This act shall be read and construed for all practical purposes as subject and shall be subject to the provisions of an Act entitled "An Act to authorise the Governor of Vancouver Island to borrow the sum of Fifty Thousand Pounds on the security of the General Revenue of the said Colony."

17. Any person who shall forge or alter or shall offer, utter, or dispose of, knowing the same to be forged or altered, any Debenture purporting to be made out and issued under this Act shall be guilty of Felony, and being thereof convicted shall be imprisoned for any period not exceeding three years, with or without hard labor, at the discretion of the Judge before whom any such person shall be tried and convicted.

18. This act may be cited for all purposes as "The Vancouver Island Road and Public Works Loan Act, 1866."

S C H E D U L E.

FORM A.

VANCOUVER ISLAND GOVERNMENT DEBENTURE.

"Vancouver Island Road and Public Works Loan Act, 1866," £50,000.

No. £100 0 0.

For One Hundred Pounds advanced to the Government of Vancouver Island, the holder of this Debenture is entitled to receive interest at the rate of six per centum per annum, in half-yearly payments, payable at on the and in each year.

The said sum of One Hundred Pounds Sterling, with the interest thereon, is charged upon and made payable out of the General Revenue of the Colony of Vancouver Island as a first charge thereon, under the terms of the "Vancouver Island Road and Public Works Loan Act, 1866," and the principal will be re-paid at the expiration of twenty years from

Signed on behalf of the Government of Vancouver Island, and in accordance with the provisions of the Act above cited.

} Agents General for Crown Colonies.

Registered

N. B.—The holder or bearer of this Debenture may alter the place of payment of principal and interest to the Treasury in Victoria or the offices of the Agents General for Crown Colonies in London, by giving six months previous notice in writing terminating on the 1st day of January or the 1st day of July at the previous place of payment (the Treasury at Victoria or the offices of the Agents General for Crown Colonies in London as the case may be), of his wish to make such alteration, and causing the officer acting as Treasurer in Victoria, Vancouver Island, or the said Agents General for Crown Colonies in London, as the case may be, to endorse on this Debenture a memorandum of such alteration.

FORM B.
VANCOUVER ISLAND.

"Vancouver Island Road and Public Works Loan Act, 1866."

No.

Half-year's interest due day of on Debenture No. payable at (the office of the Agents General for Crown Colonies, London, or at the Treasury, Victoria, as the case may be) £

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Agents General.