An Ordinance

TO PROVIDE FOR LOANS FROM THE IMMIGRATION FUND TO ASSIST IN BRINGING THE ISLAND OF SAINT CROIX UNDER A NORMAL STATE OF CULTIVATION OF SUGAR CANE BY ASSISTING THE SQUATTERS AND PARCELISTS.

Be it enacted by the Colonial Council for the Municipality of Saint Croix in session assembled:

(1) The Government of the Virgin Islands of the United States is hereby authorized to loan, on and after the date of approval of this ordinance and until February 28 1924, an amount not to exceed Francs 100,000.00 of the means belonging to the Immigration Fund, for the purpose of granting loans to owners of real property to enable them to further the cultivation of sugar cane. Said loans are to be made upon security as follows:

(a) Upon the security of real property if the applicant possesses such sufficiently unencumbered; otherwise

(b) Upon the security of real property plus a preferential interest in the crop in cases where real property is available as a portion of the security; otherwise

(c) Upon the security of the crop by preferential claim therein.

(2) The maximum of the loan is to be fixed in each individual case proportionately to the area to be planted in cane and cannot exceed Francs 125 per acre. No loans shall be made to any land owner possessing less than one acre of land available for cane cultivation. Parties desiring loans pursuant to the foregoing shall make a written request therefor to the Chairman of the Municipal Committee, such request to state the amount of the loan desired, the real estate of which the applicant is owner, the encumbrances thereon and, if any liens exist against the present or future crops, such liens shall be described in detail including the amount thereof.

(3) The Municipal Committee shall, upon receipt of applications for loans under the foregoing, carefully scrutinize them for the purpose of determining first, whether if made they will accomplish the intent of this ordinance, and second, whether the security offered in the case of real property would normally protect the Government's interest, and where security of real property is not offered, whether, in its opinion, the applicant is sufficiently reliable to warrant the total or a portion of the loan requested. On each application it shall express its views in writing and submit them to the Government. The Government reserves the right to finally determine whether or not the best interests of the Government will be served by granting or refusing any or all loans pursuant to this ordinance, and may waive stamp and recording fees in connection with mortgage Bonds of Frcs. 1,000 and under.

(4) The amounts loaned, with interest at the rate of 4% per annum, are to be repaid in the following manner:

(a) As regards loans made against real property only as security,—in full with accrued interest upon the date stated in the mortgage bond, which shall be not later than July 1, 1925.

(b) As regards loans secured partially by real property and the balance by preferential claim in the 1925 crop,—on a pro rata basis each week, dating from the first delivery of cane to the factory, in such manner that the total loan, with accrued interest, will be liquidated with the last delivery of cane to the factory.

(c) As regards loans secured entirely by preferential claim in the 1925 crop,—in the same manner as (b) above.

(5) Provided that all loans may be repaid at any time before maturity if the recipient so desires.

(6) In the case of persons who have received loans under the Ordinance approved 23 December, 1922, which are unpaid to date, their applications shall be passed upon in precisely the same manner as those of other parties for the purpose of determining the amount which the Government would be warranted in loaning upon the security offered and the reliability of the applicant; the old loan being considered as a liability of the applicant. The Municipal Committee shall then recommend the net amount which, in its opinion, the Government would be warranted in loaning under the provisions of this ordinance, and in such cases the procedure shall be that the old mortgage bond shall be cancelled and a new mortgage bond entered into representing the sum of the old loan with accrued interest thereon plus the amount of the new loan.

(7) The party receiving a loan binds himself to submit to such control of the management of his estate, and the area and condition of his cane fields, as the Government may consider requisite.

(8) The party receiving a loan wholly or in part against preferential claim and security in the crop, binds himself not to dispose of any part of his crop, unless with the consent of the Government, until the amount of such loan with accrued interest, shall have been repaid and he further submits himself to such restrictions as the Government may consider necessary.

(9) Loans made pursuant to the provisions of this Ordinance must be applied exclusively to the furthering of the cultivation of sugar cane, and should any party having received such loan be found to have applied the proceeds to other purposes, the loan may be called at once and no further loan may be granted such person. Any attempt at disposing of the crop in contravention of the provisions of this paragraph and of paragraphs 7 and 8 hereof, shall have the same consequences.

10) No person receiving a loan under this ordinance shall cut his cane without first notifying the person whom the Colonial Council shall appoint for that purpose.

11) Should the available funds under the Immigration Fund be insufficient to finance loans aggregating the amount specified in paragraph one (1) of this ordinance, such additional amounts as may be necessary may be transferred from the Reserve Fund to the Immigration Fund and the Reserve Fund shall be reimbursed as loans are repaid in such manner that the Reserve Fund shall be fully reimbursed before repayments accrue to the credit of the Immigration Fund.

(12) To assist in carrying out the provisions of this Ordinance there shall be appointed by the Colonial Council four (4) men, two from each Country District.

Thus duly passed at the 4th Ordinary meeting of the Colonial Council held Monday, December 17, 1923.

D. S. ARMSTRONG,
Secretary.

ROBT L. MERWIN,
Chairman.

The above Ordinance is hereby sanctioned and approved in whole.

Witness my hand and the Seal of the Government of the Virgin Islands of the United States this twenty-fourth day of December, 1923

PHILIP WILLIAMS,
Governor.

(SEAL.)