

XII. And be it enacted, That it shall be the duty of the said Mayor, Aldermen and Commonalty of the City of Saint John, to cause a report to be made on or before the third Monday in January in each and every year, of the then state and condition of the said Water Works; which said report shall contain an exact and particular statement of the Notes or Debentures given under the provisions of this Act, and the sums of money received on account thereof, and the names of the parties to whom such Notes or Debentures were given during the year ending the thirty first day of December then last past, and also a particular detailed statement of all sums of money received up to the said thirty first day of December in respect of the said Water Works, either for the sale of Water or the privilege of using the said Water or the Pipes and Machinery, or otherwise, howsoever, and the names of the parties from whom the same shall have been received, and also a statement of any sum or sums of money due, owing or payable for or in respect of the same, and the names of the parties by whom the same may be so due, owing or payable, and also a particular statement of the interest monies computed up to the said thirty first day of December, upon all Debentures or Notes issued under this Act, or sums of money borrowed to carry on the operations of said Water Works, and the said report shall also specify what sum or sums of money have been expended, and particular works have been undertaken or completed during the said year, and generally shall exhibit a full and complete account of all the affairs and business connected with the said Water Works, and shall be signed by the said Chamberlain, and person or persons superintending or in charge of the said Water Works, and if required by the Common Council shall be attested to on Oath before a Justice of the Peace in and for the City and County of Saint John.

Report to be made, on or before the third Monday in January, in each year.
Particulars of Report.

XIII. And be it enacted, That in case it shall appear by any such yearly Report made as aforesaid, that the amount received in respect of such Water Works, either for the sale of Water, or for the privilege of using the said Water or the Pipes or Machinery, or otherwise howsoever, shall not be equal to the amount of Interest monies payable on the Debentures or Notes issued by virtue of this Act, and on the said Loan of five thousand pounds, and on all monies borrowed or to be borrowed as hereinbefore mentioned, and the expenses of superintending and managing the said Water Works, for the period ending on the thirty first day of December in each year, together with the amount of such portion of the gross income as may be allowed by the Corporation, under the tenth Section of this Act, for raising money to pay off the sum of five thousand pounds, and for carrying on the future operations of the Water Works, that then and in such case and so often as the same shall appear by any such annual Report, it shall and may be lawful for the said Mayor, Aldermen and Commonalty of the City of Saint John, in Common Council convened, at any time within thirty days after the said Report shall have been submitted to them, to determine, direct and order that the amount of the deficiency of funds for the payment of such monies, together with the expenses of assessing, levying and collecting the same, shall be assessed and levied on the Inhabitants on the Eastern side of the Harbour of the said City, or in any District or Districts thereof, to be particularly described and set forth, and to direct by Warrant under their Common Seal, the Assessors hereinafter mentioned, to make a rate or assessment in due proportion according to the benefit to be derived therefrom, upon all and every person or persons who do or shall inhabit, hold, occupy and enjoy any house, shop, warehouse or other tenement on the Eastern side of the Harbour aforesaid, or any District or Districts thereof, as above mentioned; and the said Assessors are hereby required and authorized forthwith to make such rate and assessment; which same rate and assessment so to be made, shall be levied and collected by such person as the said Common Council shall appoint to collect the same, in the same manner as Parish or County Rates are or may be levied or collected by virtue of any Act of Assembly in force within the said City and County at the time the same may be ordered to be levied and collected, and when recovered shall be paid over by the said Collector to the Chamberlain of the said City for the purposes hereinbefore mentioned.

If it appear by the Report, that the receipts are not equal to the amount of interest payable on the Debentures, an assessment may be made for deficiency.

How to be levied and collected.

To be paid by the Collectors to the Chamberlain.

XIV. And be it enacted, That if any person shall think himself aggrieved by any rate or assessment to be made as aforesaid, it shall and may be lawful for such person within the space of five days after the sum so rated and assessed shall be demanded, to appeal to the Common Council of the said City, whose decision shall be final and conclusive, and that a memorandum in writing of such appeal filed in the Common Clerk's Office within the said time shall suspend further proceedings until such decision shall be had.

Appeal to the Common Council allowed, where parties think themselves aggrieved by any assessment.