

City Corporation to appoint three persons to act as Assessors under this Act.

Penalty.

Recovery.

Vacancies to be supplied.

City Property not liable for the Debts of the Water Company, except the Treasury Loan.

Maliciously breaking or injuring any of the Pipes, &c. made felony.

1 W. 4, c. 14.

Act not to go into operation until accepted and consented to by the City Corporation and the Water Company, to be signified by Resolutions entered on their Books of Minutes.

City Corporation may, for the purpose of altering or improving the Water Works, use or sell Lands, &c. received from the Water Company.

XV. And be it enacted, That it shall and may be lawful for the said Mayor, Aldermen and Commonalty of the said City, in Common Council convened, from time to time and as often as may be necessary and requisite, under the provisions of this Act to nominate and appoint three discreet persons, being freemen and freeholders of the said City, to act as assessors under this Act, who shall be sworn to the faithful discharge of such duty before the Mayor, Recorder, or either of the Aldermen of the said City, and any person so appointed who shall neglect or refuse to accept the said appointment or to become qualified to perform the duties thereof, or having become so qualified shall neglect or refuse to perform his duty, shall for each and every neglect or refusal forfeit and pay the sum of ten pounds, to be recovered on complaint of the Chamberlain of the said City, on conviction before any Justice of the Peace in and for the said City and County, and levied with costs of Prosecution by distress and sale of the goods and chattels of such offender, by Warrant under the hand and seal of such Justice, and paid into the hands of the Chamberlain of the said City, to be applied for such uses and in such manner as the rates and assessments collected under this Act, and for no other use whatsoever; and the said Mayor, Aldermen and Commonalty of the City, in Common Council convened, shall and may appoint some other person or persons, being freemen and freeholders of the said City, in the place or places of any person or persons so refusing or neglecting, and so often as such case shall happen; which person or persons so to be appointed in the place or places of such person or persons so neglecting or refusing shall be liable to the like penalties for neglect or refusal as the said persons first appointed, to be in like manner recovered, paid and applied, and so often as the case may happen.

XVI. And be it enacted, That none of the property either real or personal or otherwise of the said Mayor, Aldermen and Commonalty of the said City of Saint John, shall be liable and answerable for any of the debts, contracts or obligations of the Saint John Water Company, except only the sum of five thousand pounds hereinbefore mentioned loaned out of the Province Treasury as aforesaid.

XVII. And be it enacted, That if any person shall wilfully and maliciously break, damage, throw down, destroy or injure any of the houses or other buildings or erections, or of the pipes, machinery, fire plugs, apparatus, or any of the works already placed, erected or established by the said Saint John Water Company, or which may be so placed, erected or established by the said Company, prior to the transfer of the interests and estates of the said Company to the said Mayor, Aldermen and Commonalty, or which may hereafter be placed, erected and established and made under the provisions of this Act or otherwise howsoever, by the said Mayor, Aldermen and Commonalty for the purpose of supplying the said City and its vicinity with water, any such person shall be adjudged guilty of felony, and every such person so offending and being thereof lawfully convicted, shall be liable to the punishment prescribed for felony in an Act may and passed in the first year of the Reign of His late Majesty King William the Fourth, intituled *An Act for improving the administration of Justice in criminal cases*.

XVIII. And be it enacted, That this Act shall not go into operation nor take effect until the same shall be accepted and consented to by the said Mayor, Aldermen and Commonalty of the City of Saint John, by a resolution entered in the minutes of the proceedings of the Common Council within two calendar months after the passing of the same; and also by the Saint John Water Company, such acceptance and consent of the said Company to be signified by a resolution entered on their book of minutes and passed at some general meeting of the Stockholders thereof, to be held within three calendar month after the passing of this Act, at which meeting all questions touching this Act and all proceedings under the same may be decided by a majority of the votes of all the Stockholders then present or represented by proxy, and the number of votes shall be in the proportion and according to the scale already established and provided by the Act of Assembly Incorporating the said Water Company.

XIX. And be it enacted, That whenever the said Mayor, Aldermen and Commonalty in Common Council shall deem it expedient to make any alterations or improvements in the said Water Company, either by altering the line thereof or mode of bringing the water into the said City or otherwise, it shall and may be lawful for the said Mayor, Aldermen and Commonalty from time to time, to make such alterations and improvements, and thereupon make use of the lands, buildings and materials, or any part thereof transferred by the said Water Company, or purchased at any time from the said Water Works, either in constructing a new line or altering or improving the old line, or by disposing thereof or any part thereof at Public Auction; and whenever any sale shall take place, the said