

Assessment to be made on the owners in fee simple, and the lessees under leases with covenants of renewal, of the land in front of which the Sewer shall pass.

it shall be lawful for them, in Common Council, to order and direct a rate or assessment to be made to defray the expense thereof, which assessment shall be made upon such of the owners in fee simple of the several lots, parts of lots, pieces and parcels of land, situate on both sides of the street, lane or highway, and in front of or opposite to which the said sewer or drain may pass or be laid, as they the said Common Council may direct and declare, the said assessment to be made in proportion to the extent of the frontage of land owned by the respective persons to be assessed, and to be levied, collected and paid, together with the charges of assessing and collecting, in the same manner as any County Rates for public charges can or may be levied, collected and paid under and by virtue of any Laws which, at the time of making such assessment, may be in force in this Province for assessing, levying and collecting of Rates for public charges; and when collected, shall be paid into the hands of the Chamberlain of the said City, to be applied from time to time by orders of the Common Council for the purposes of this Act; provided always, that in any case when any such lot, part of lot, piece or parcel of land, shall be held under a lease for a term of years, containing a covenant for any renewal of such term, then and in every such case, the said rate or assessment in respect thereof, shall be made upon the person or persons having the legal estate and interest in the said term of years, and not upon the owner in fee simple.

Occupiers of land assessed may lead drains into the common Sewers without payment for the privilege.

II. And be it enacted, That it shall be lawful for any occupier of any such lot, part of lot, piece or parcel of land, in respect of which any such rate or assessment shall have been made, at all times to have the liberty and privilege of using the said Sewer or Drain, and leading a separate Sewer or Drain into the same from his own premises, without the payment of any fine or sum of money for the said privilege, under and subject nevertheless to all such bye laws, regulations, rules and orders relating to the laying down, opening, cleansing or other management and use of the said common and public, as well as the said separate Sewers or Drains, as the Common Council shall or may from time to time ordain, make or establish; provided always, that no Sewer or Drain leading from any privy shall at any time be led into any common and public Sewer to be laid down in pursuance of this Act; and further provided, that no rate or assessment shall be made for any Sewer or Drain under the provisions of this Act, unless the same shall be not less than five feet high in the clear, and not less than three feet in width in the clear, and that in apportioning such rate, the situation of such Drain in reference to the expense of entering the same from both sides of the street, shall be taken into consideration.

No drain from a privy to be so led; and no assessment to be made for a public Sewer unless it be of certain dimensions.

CAP. XIV.

An Act relating to the appointment of the Gaoler of the Gaol of the City and County of Saint John.

Passed 30th April 1851.

Preamble.

‘ WHEREAS doubts have arisen whether under the provisions of the Charter of the City of Saint John, the appointment of the Gaoler of the Gaol of the said City and County is vested in the Mayor, Aldermen and Commonalty of the said City, or in the Sheriff of the said City and County;

Appointment of the Gaoler of the Gaol of the City and County of Saint John vested in the High Sheriff.

Be it therefore declared and enacted by the Lieutenant Governor, Legislative Council and Assembly, That notwithstanding any thing in the said Charter contained, the appointment of the Gaoler of the Gaol now erected in the said City, and used as the Gaol of the said City and County of Saint John, is and shall be vested in the Sheriff of the said City and County of Saint John.

CAP. XV.

An Act to repeal the several Acts for incorporating the City of Fredericton, and to make other provisions in lieu thereof.

Passed 30th April 1851.

Preamble.

‘ WHEREAS the provisions of the Act to incorporate the City of Fredericton, and the several Acts to amend the same, have been found defective;

Repeal of Acts

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the eleventh year of the Reign of Her present Majesty Queen Victoria, intituled *An Act to incorporate the City of Fredericton*, and another Act made and passed in the twelfth year of the same Reign, intituled *An Act to amend an Act, intituled ‘An Act to incorporate the City of Fredericton;’* and also an Act made and passed in the thirteenth year of the same Reign, intituled *An Act relating to the levying and collecting of Rates in the City of Fredericton*, be and the same are hereby respectively repealed; provided

11 V. c. 61,

12 V. c. 59,

and Local Acts.
13 V. c. 22.