

6. It shall be the duty of the said Commissioners, as early as conveniently may be, after procuring the necessary information upon the matters aforesaid, to make a Report thereon to the Governor in Council, and to have the same printed and distributed for general information.

7. The said Commissioners shall make up and submit to the General Sessions of the Peace to be held for the City and County of Saint John in March next, an account of all expenses incurred by them in carrying out this Act; in which expenses shall be included the fees of the said Commissioners at the rate of twenty shillings each per day for every day on which they shall be employed in the performance of their duties; such account to be verified by the oath of the said Commissioners, to be sworn before a Justice of the Peace of the said City and County.

8. The said Justices shall direct the amount of the said account to be assessed, levied, and collected upon that part of the City of Saint John lying on the eastern side of the Harbour, and the Parish of Portland, and the inhabitants thereof respectively, in the same manner as other rates and taxes are assessed, levied, and collected, in the proportion of seven eighths thereof on that part of the City of Saint John lying on the eastern side of the Harbour, and one eighth thereof on the Parish of Portland, the same, when collected, to be paid to the said Commissioners; provided always, that the amount so assessed shall not exceed the sum of five hundred pounds.

CAP. VI.

An Act to authorize that part of the City of Saint John called Carleton to obtain Water from Spruce and other Lakes, and the Mayor, Aldermen and Commonalty of the said City to issue Scrip to defray the expenses of so doing.

Section.

1. Appointment of Commissioners; certain waters may be acquired, also lands for pipes, &c.
2. Power to connect the waters, erect dams, lay pipes, &c.
3. Termination of the Commissioners' powers.

Section.

4. Liability for damages; assessment thereof;
5. Issue of Scrip to meet expenses.
6. Payment of principal and interest.
7. Price of water to be fixed by the City Corporation.

Passed 3rd November 1854.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. That part of the City of Saint John called Carleton is hereby authorized by and through the agency of three Commissioners to be appointed by the Lieutenant Governor in Council, to take, hold, and convey to, into, and through the said part of the said City, the water of Menzies' Lake, Ludgate's Lake, and Spruce Lake, so called, in the Parish of Lancaster, or any or either of them, and the waters which may flow into and from the same, and any other ponds and streams within the distance of four miles from the same, and any water rights connected therewith; and also to take and hold by purchase, or otherwise, in the name of the inhabitants of the said part of the said City, any lands or real estate necessary for laying pipes for conducting, discharging, disposing of, and distributing water, as also for carrying off waste water, and house and other drainage, and also to take and hold any land on and around the margin of the said lakes not exceeding four rods in width, and on and around the said other ponds and streams, so far as may be

necessary for the preservation and purity of the same, for the purpose of furnishing a supply of pure Water and a system of Sewerage, for the said part of the said City; and the Commissioners shall within sixty days from the time they shall take any lands or ponds or streams of water for the purposes of this Act, file in the Office of the Registry of Deeds for the City and County, a description of the lands, ponds, or streams of water so taken, in like manner as is required in a common conveyance of lands, and a statement of the purpose for which they have been taken, which said description and statement shall be signed by the three said Commissioners.

2. The said Commissioners may connect the waters of the said Lakes together, may erect and maintain dams to raise and retain the waters therein, may make and establish such public hydrants in such places as may from time to time be deemed proper, may distribute the water throughout the Town, may carry off waste water and house and other drainage, and for this purpose may lay down pipes to any house or building therein, and may regulate the use of the said water within and without the Town, and establish the prices or rents to be paid therefor; and the said Commissioners, for the purposes aforesaid, may carry any pipes under or about any highway or other way, in such manner as not to obstruct or impede travel thereon, and may enter upon and dig up any such road, street, or way, for the purpose of laying down pipes beneath the surface thereof, or of repairing them when laid down, not obstructing or impeding travel as aforesaid, and in general may do any other acts and things necessary, convenient, or proper for the purposes of this Act.

3. On the completion of the works above mentioned, or at the expiration of three years from the commencement of them, or whichever event shall first happen, the said office of Commissioner shall cease, and all the rights, powers, and authority given by this Act shall be exercised by the Mayor, Aldermen and Commonalty of the said City of Saint John, and by such agents, officers, and servants as they from time to time may appoint.

4. The said part of the said City called Carleton shall be liable to pay all damages that shall be sustained by any persons in their property by the taking of any lands, water, or water rights, or by the constructing of any works for the purposes of this Act; and if the owner of any land, water, or water rights, which shall be taken as aforesaid, or other person who shall sustain damage as aforesaid, shall not agree upon the damages to be paid therefor, he may apply by Petition for the assessment of his damages at any time within three years from the taking of the said land, water or water rights as aforesaid, and not afterwards, to any Judge of the Supreme Court, who may appoint three judicious and disinterested freeholders of the said City and County who shall assess the damage, if any, which such petitioner may have sustained as aforesaid, and the award of the said freeholders, or of the major part of them, being returned into and accepted by the said Judge, shall be final, and judgment shall be rendered and execution issued thereon for the prevailing party, with costs, in like manner as if the said judgment had been obtained in the Supreme Court of Judicature of this Province.

5. For the purpose of defraying all the costs and expenses of such lands, estates, waters, and water rights, as shall be taken, purchased, or held for the purposes mentioned in this Act, and of constructing all works necessary or proper for the