

of the Reign of Her present Majesty, intituled *An Act relating to the Election of Representatives to serve in the General Assembly*; also an Act made and passed in the thirteenth year of the same Reign, intituled *An Act to establish the Polling Places in the County of Gloucester*; also an Act made and passed in the same year, intituled *An Act to establish Polling Places in the County of Victoria*; also an Act made and passed in the sixteenth year of the same Reign, intituled *An Act in amendment of the Act relating to the Election of Representatives to serve in the General Assembly, so far as relates to the Polling Places in the County of Carleton*; and an Act made and passed in the same year, intituled *An Act to establish places for Polling in the Parishes of Glenelg and Hardwicke, in the County of Northumberland*; also an Act made and passed in the seventeenth year of the same Reign, intituled *An Act relating to the qualification of Freeholders in certain cases*; and an Act made and passed in the same year, intituled *An Act relating to the establishing of Polling Places in the Counties of Charlotte, Gloucester, York, Queen's, Saint John, Victoria, Northumberland, and Sunbury*.

69. This Act shall come into operation on the first day of November which will be in the year of our Lord one thousand eight hundred and fifty five, but no proceeding shall be had thereon, except the election of revisors, until the first day of January one thousand eight hundred and fifty six; and all elections of Representatives to serve in the General Assembly, which shall be held before the first day of January one thousand eight hundred and fifty seven, shall be held under the laws now in force for election of Representatives to serve in the General Assembly.

CAP. XXXVIII.

An Act to provide for an improved system of Sewerage and Water supply of part of the City of Saint John, and Parish of Portland in the County of Saint John.

Section.

1. Commissioners, appointment of;
2. To be sworn.
3. Chairman, nomination of.
4. Compensation for services.
5. Meetings to be at least monthly.
6. Debentures for Water Company's Stock; transfer thereupon; liabilities.
7. Extension of water works by the Commissioners.
8. Service pipes, at whose expense laid.
9. Proprietors or leaseholders, liability of; assessment, specialties.
10. Streets, how to be surveyed and levels established.
11. Sewers with branch drains to be laid.
12. Branch drains, expense of, how defrayed.
13. Assessment for expense of drains, when and in what proportion.
14. Right of entry on premises granted to Commissioners and their workmen.
15. Compensation for damages, how ascertained and paid.
16. Sewerage and water supply to new buildings, how obtained.
17. Superintendent of sewers and water, &c, appointment and pay of.
18. Superintendent's duty.
19. Cleansing and repairing of vaults and drains.

Section.

20. Vaults, drains, &c, power of Superintendent as to.
21. Works for sewerage or water supply deemed property of Commissioners.
22. Assessments to bind property and parties; recovery.
23. Distress warrants and sequestration orders, issue and execution of.
24. Appropriation of income. Deficiency, how supplied.
25. Estimate of deficiency and assessment to be made.
26. Accounts to be rendered annually, audited and published.
27. Protection of Commissioners and officers.
28. Compensation of Commissioners.
29. Liability of Commissioners.
30. Accounts of subordinate officers to be rendered;
31. Proceedings on refusal.
32. Proceedings on oath that an officer is about to abscond.
33. Debentures, authority to issue, to pay for water stock.
34. Amounts, where and when redeemable, authentication.
35. Appropriation of surplus of income over expenditure.

Schedule.

Passed 12th April 1855.

WHEREAS an improved system of Sewerage and Water supply, would conduce to the health and comfort of the citizens and inhabitants of the City and Parish;—

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

1. The Common Council of the City of Saint John shall

forthwith appoint, and shall also have power to remove and re-appoint from time to time as may be expedient, two discreet and proper persons to be Commissioners for the purposes of this Act; and the General Sessions of the Peace for the City and County of Saint John, or any Special Sessions for that purpose to be forthwith holden, shall in like manner appoint, and any General or Special Sessions for such purpose holden, shall also have power to remove and re-appoint from time to time one other discreet and proper person, to be a Commissioner with the said other two Commissioners for the like purposes; neither of which said three Commissioners shall be a member of the said Common Council or Sessions.

2. The Commissioners before entering on the duties of their office, shall severally take and subscribe an oath or affirmation before any Justice of the Peace of the said City and County, faithfully to perform the trust and duties required of them by this Act: which oath or affirmation such Justice is hereby authorized to administer; and he shall forthwith file the same in the office of the Common Clerk of the said City.

3. Whenever the said Common Council shall appoint or re-appoint the said two Commissioners, they shall at the same time nominate which of them shall be Chairman of the Board of Commissioners, whose duty shall be to preside at their meetings, and exercise a general supervision of all proceedings under this Act.

4. The Chairman shall have a salary of four hundred pounds per annum, and each of the other Commissioners shall have one pound for each day's actual attendance on the duties of his office, but so as not to exceed the sum of fifty pounds for each Commissioner in any one year.

5. The Commissioners shall hold a general meeting for the transaction of business at least once in each month.

6. Immediately after the passing of this Act, the Commissioners shall make and issue to the holders of preference stock in the Saint John Water Company, Debentures in the form hereinafter provided, to the amount of fifteen thousand pounds New Brunswick currency, at par, in satisfaction of such stock; and like Debentures to the amount of thirteen thousand nine hundred pounds, at the rate of ninety two pounds ten shillings for each one hundred pounds of stock, to the holders of the other stock in the said Company, in satisfaction thereof; and thereupon the entire property, works, revenues, rights, and credits of the said Company, subject to the outstanding liabilities of the said Company, shall become vested in the said Commissioners and their successors, without any other act or conveyance whatever, with all the powers and privileges now held and enjoyed by the said Company under any law or laws of the Province; saving however to all and every person or persons, Company or Corporation, all legal rights and remedies in law or equity, and all actions or suits now pending or hereafter to be brought against the said Company for or by reason of any malfeasance or misfeasance, or any act or thing heretofore done or committed, or for or by reason of any covenant, contract, or agreement heretofore made, which rights and remedies shall continue, and the actions and suits be brought, prosecuted, and ended as if this Act had not been passed; and the present stockholders therein shall be liable in law and equity for the liquidation and payment of all such claims and damages recovered, or to be hereafter recovered therefor; provided that such claims and damages shall not be levied on any present stockholders, on account of any preference stock, unless the