

value received by the holders of the original stock, on account of such original stock, shall be insufficient to defray the same; and it shall be lawful also for the said Commissioners to proceed for recovery of any arrears or moneys due to the said Company at the time of such transfer, or which may subsequently fall due, under or by virtue of any contracts or agreements made with the said Company prior to such transfer, by distress and sale in manner provided by the twenty second Section of this Act.

7. Upon such transfer being made it shall be the duty of the Commissioners to extend the present water supply as far as they may deem it practicable or expedient, by carrying a sufficient main or mains to Latimer's Lake and Loch Lomond, or either of them, and by laying down good and sufficient main and service pipes in the several Streets of the said City on the east side of the Harbour, not already supplied, and in and through the District in the Parish of Portland defined and described as follows, that is to say:—"Beginning at the Aboideau where the City line strikes the line of the said Parish, thence southerly, easterly, and northerly along the Parish line to a point where the old Westmorland road intersects the road running along the front of Walker Tisdale's stone cottage; thence along the last mentioned road and a prolongation thereof crossing the Marsh Creek, to its northwestern bank; thence westerly along the said bank to a point where a prolongation of the division line between the property of Messieurs Gilbert and Wright would strike the said Creek; thence northwesterly following the said prolongation and line to Wright Street (so called); thence westerly along the said Street to its termination in front of William Jack's property; thence in a straight line to the River Saint John, at the point where the Albion Mills now stand; and thence following the Parish line southerly and easterly in its various courses to the place of beginning;" as laid down and defined in a plan signed by the Commissioners appointed under the Act of Assembly made and passed in the eighteenth year of Her present Majesty's Reign, intituled *An Act for the appointment of Commissioners of Sewerage and Water supply for that part of the City of Saint John lying on the eastern side of the Harbour and the Parish of Portland*, and filed in the Common Clerk's Office in the City of Saint John; when the same shall have been submitted to the Common Council and Sessions, and approved of by them.

8. The service pipes for water supply to houses, buildings, or establishments, shall be carried from the main to the side line of the street by the Commissioners at the public expense, when required so to do by notice in writing from the owner or owners of any house or building, and all beyond that distance at the expense of the owners or leaseholders for renewable terms of the premises so supplied.

9. Wherever good and sufficient mains for the supply of water to dwellings or other houses or establishments already exist, and likewise wherever the same shall be laid down and ready for the use of such dwellings, houses, or establishments within the said City, on the east side of the Harbour, or the said District in the Parish of Portland, the owners in fee, or leaseholders for renewable terms of any lands or tenements through or along which such mains shall pass, shall, whether the water be taken or used on the premises or not, be respectively assessed for the same in each year, on a scale to be fixed and determined by the Commissioners in each year, due regard being had to the value, mode of occupation of the premises,

and probable consumption of water in each case, except steam mills, manufactories, baths, and hotels, which shall be rated by agreement with the parties. In which scale the several lots or premises assessed, whether occupied or vacant, shall be numbered, and the rate assessed on each set down, and a copy of such assessment shall be filed by the Commissioners in the office of the Common Clerk of the said City within three months after their appointment as such Commissioners; and if any person shall think himself aggrieved by reason of such assessment, it shall be lawful for him in case the same shall be upon the premises situate in the said City, to appeal thereupon to the Common Council of the said City, and in case the assessment shall be upon premises in the said district of the said Parish of Portland, such appeal shall lie to the General Quarter Sessions of the said City and County, and the decision in either case shall be final, and the assessment be amended by the Commissioners in accordance with such order as may be therein made by the said Common Council or Sessions respectively; provided that all such appeals shall be made within thirty days after demand of the amount assessed shall have been made upon the party so appealing.

10. The Commissioners shall employ a competent Engineer or Engineers to make surveys and plans of the streets within the City of Saint John, on the eastern side of the harbour, and in that part of the Parish of Portland included under this Act, shewing the surface of the streets as now existing, and the permanent levels to be hereafter made, which levels, when approved of by the Common Council and Sessions, shall be and for ever hereafter remain the permanent levels, and the said plans shall then be filed in the office of the Common Clerk in the City of Saint John, and a copy in the office of the Provincial Secretary, as public records of the same.

11. The Commissioners shall as soon as they may deem it practicable and expedient, construct and lay down through and along the several streets of the said City, on the eastern side of the harbour, and of the said district in the Parish of Portland, good and sufficient sewers with proper branch drains and pipes for such houses as they may from time to time deem fit to receive the same.

12. All branch drains shall be laid down and fitted at the public expense from the main sewer to the line of the street, or in case of back sewerage to the rear line of each dwelling or tenement.

13. As soon as good and sufficient main sewers are laid down and constructed, with proper branch drains, for the several dwellings in any street of the said City or District aforesaid of the said Parish, the owners in fee, or leaseholders for renewable terms of the several lands and tenements through or along which such main sewers pass, shall, upon the same being ready for use, be respectively assessed for the same in each year on a scale to be fixed and determined by the Commissioners in each year in like manner and at the same time as the scale of water rates or assessments mentioned in the ninth Section of this Act; which last mentioned scale or assessment shall be dealt with in like manner and be subject to the like appeals and amendment as the said scale of water rates.

14. In the laying down, construction, repairing, and alteration of any main service pipes, drains, or sewers, under the provisions of this Act, the Commissioners, or any or either of them, and their servants, agents, or workmen, shall have full power and they are hereby authorized from time to time as