

John, at or in the office of the Chamberlain of the said City, the sum of three hundred and twenty seven dollars, paid by them on account of such Sewer; and the Chamberlain of said City shall pay such amount, when received by him, into the general revenue fund of the said City.

3. The said several amounts shall, when paid by the said Commissioners, be chargeable and charged in the same manner as other moneys are now by law charged and chargeable, which are required for and expended in the constructing, making, laying down or repairing of Sewers and opening of Water courses in the City of Saint John.

4. The said Brick Sewer hereinbefore mentioned and referred to shall be under the control and management of the said Commissioners, as fully to all intents and purposes as any other Sewers in the said City are now under their control and management on the eastern side of the Harbour; provided always, that persons and estates hereinbefore in the first Section mentioned, but none other, shall be permitted by the said Commissioners to enter said Sewer without the payment of any fee or charge for entering the same.

CAP. LXV.

An Act relating to Dorchester Street in the City of Saint John.

Sec.
1 Dorchester Street extended.
2 Owners of land remunerated.

Sec.
3 Payment for land, out of what fund taken.

Passed 21st April, 1869.

WHEREAS it is desirable and necessary for public accommodation that Dorchester Street in the City of Saint John, on the eastern side of the Harbour, should be extended in a straight line from Sewell Street to the City Road near the Railway Station;—

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

1. It shall and may be lawful for the Mayor, Aldermen and Commonalty of the City of Saint John, and they are hereby required, as soon as conveniently may be after the passing of this Act, by themselves, their engineers, workmen, contractors, and servants, to enter upon and take possession of the land lying to the northward of Dorchester Street, at its intersection with Sewell Street, and in extension of Dorchester Street in direct line from said Sewell Street in King's Ward, in the City of Saint John on the eastern side of the Harbour, and to extend and divert Dorchester Street, preserving its present width, northwardly in direct line until it strikes the City Road, as at present open, near the Station of the European and North American Railway there, as shewn on a plan of said diversions of Dorchester Street prepared by the City Engineer, and filed in the office of the Common Clerk; and to take and hold the said land and real estate necessary for the said Street, and lay out the said Street, and to build up and open the same as a public Street and thoroughfare in the City of Saint John.

2. When and so soon as the said Mayor, Aldermen and Commonalty shall have entered upon and taken the said land, they shall pay to the owner and owners or proprietors of the land taken for the said Street, on demand, the value of the land so taken, as may be agreed upon between the said Mayor, Aldermen and Commonalty, and the owner or owners and proprietors thereof demanding the same; and in case the said Mayor, Aldermen and Commonalty shall not be able to agree with such owners or proprietors, or any of

them, as to the value of the said land, the same shall be ascertained by the award of arbitrators, one to be chosen by the said Mayor, Aldermen and Commonalty of the City of Saint John in Common Council, and one by the owner or proprietor so entitled to and claiming compensation; and the two arbitrators so appointed shall choose a third, and the arbitrators so chosen shall examine the land taken for the said Street, and shall award and determine the amount to be paid in the case so referred to them; and the arbitrators shall take into consideration the benefit, if any, to the owner of the land by the laying out of such Street, and the value of such benefit shall go in reduction of the compensation; and the arbitrators, or any two of them, shall make their award in writing, and shall file the same in the office of the Common Clerk of said City, and the award so made and filed shall be final and conclusive against all parties.

3. The said Mayor, Aldermen and Commonalty of the City of Saint John, shall forthwith pay to the person or persons entitled according to such agreement or award, as the case may be, the sum and sums of money agreed upon or awarded as compensation for the land taken as aforesaid, out of the Street Fund for the City of Saint John on the eastern side of the Harbour, raised under any Act or Acts of Assembly in force relating to the making or improving of Streets in that part of the City of Saint John on the eastern side of the Harbour; and all expenses connected with the proceedings under this Act, and the building up, finishing and opening of said Street, shall be chargeable upon and payable out of the Street funds aforesaid.

CAP. LXVI.

An Act relating to Water Supply in the City of Saint John, and part of the Parish of Portland in the County of Saint John.

Passed 21st April, 1869.

WHEREAS in many cases the proprietors of dwelling houses and other tenements along which the mains of the Commissioners of Water Supply for the City of Saint John and Parish of Portland pass, do not apply to have service pipes carried to their premises, and in consequence the occupants thereof supply themselves with water from the public hydrants, or the taps of neighbours, and thereby escape payment of the rate for consumption, under Schedule C of twenty eighth Victoria, Chapter 29;—

Be it therefore enacted by the Lieutenant Governor, Legislative Council, and Assembly,—

That from and after the passing of this Act, the owner of any dwelling house, or other occupied building in which water may be required, situate as mentioned in the first Section of the above recited Act, and in front of or along which mains for the supply of water shall pass, shall, whether the water be taken and used upon or in the premises or not, be assessed at the same rate, according to Schedule C of the said recited Act, as if service pipes for the supply of water were laid to such premises, and the water actually taken and consumed thereon; provided only that the said Commissioners shall have discretionary power, partly or wholly to exempt any such owner, where, in their opinion, it may be quite impracticable or very expensive to introduce the water into the premises, and in such case may decline to carry in a service pipe.