



BY AUTHORITY.

ANNO DECIMO QUARTO VICTORIÆ REGINÆ.

CAP. XIII.

An Act to provide for laying down of Common Sewers in the City of Saint John.

*Passed 30th April 1851.*

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That whenever hereafter the Mayor, Aldermen and Commonalty of the City of Saint John, in Common Council convened, shall judge it expedient and necessary at any time or times to place and lay down any common Sewer or public Drain in any part of the streets, lanes or highways of the said City, 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.

When common Sewers are to be laid down, the Common Council may order an assessment to defray the expense.

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.

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

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

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