

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1840. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1840.

3 Victoria – Chapter 56

'Whereas the Acts now in force relating to Commissioners of Sewers have been found deficient where the work contemplated extends to two or more Parishes;' Passed 31st March 1840.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That upon application of any proprietors of any marsh, low lands, meadow, or other unreclaimed lands, which may lie in two or more Parishes, and in reclaiming lands, which may lie in two or more Parishes, and in reclaiming, draining or enclosing of which two or more Parishes may be interested, the Governor or Commander in Chief, with the advice of Her Majesty's Executive Council, may and is hereby authorized, by Commission, to appoint such able and discreet persons as to him shall seem meet, to be Special Commissioners for the purpose of superintending any such work in which two or more Parishes may be so interested; and such Commissioners, when so appointed shall possess all the powers, and be subject to the same duties, and be liable to similar penalties in case of neglect thereof, and shall receive the same compensation for their services, as Commissioners of Sewers possess, enjoy, and are made subject to, by an Act made and passed in the Session of the General Assembly holden in the tenth and eleventh years of the Reign of His Majesty King George the Fourth, intituled "An Act to repeal certain Acts relating to Commissioners of Sewers, and to make more effectual provisions in lieu thereof," and also by an Act made and passed in the fourth year of the reign of His late Majesty King William the Fourth, intituled "An Act to amend an Act, intituled 'An Act to repeal certain Acts relating to Commissioners of Sewers, and to make more effectual provisions in lieu thereof.'"

II. And be it enacted, That the Commissioners appointed under and by virtue of this Act, for the purpose of superintending any work in which two or more Parishes may be so interested, shall, so far as relates to such work, but no farther, supersede the powers and controul of the several Boards of Commissioners of Sewers in any such Parishes.

III. Whereas doubts have arisen whether Collectors appointed pursuant to the provisions of the Act mentioned in the first Section of this Act have power to distrain in any part of the County, beyond the District or place for which the Commissioners of Sewers appointing such Collectors may be appointed: Be it therefore enacted and declared, That any such Collector may distrain, pursuant to the directions of the said recited Act, within any part of the County within which such Collector may be appointed, whether within or beyond the District or Parish for which the Commissioners of Sewers appointing him may be appointed, any law or usage to the contrary notwithstanding.