

*Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1858.* Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1858.

21 Victoria – Chapter 7

**An Act authorizing the Commissioners under an Act to provide for an improved system of Water Supply and Sewerage of the City of Saint John and Parish of Portland, to increase the amount of issue of Debentures, and making other provisions for the better carrying out the objects of that Act. Passed 12th March 1858.**

Section.

1. Authority for further issue of Debentures.
2. Fire Hydrants, placing and cost of; assessment for.
3. Authority to make regulations.

Section.

5. Assessment Roll, preparation of; relief of tenants.
6. Parish of Simonds included under 18 V. c. 38, s. 14 and 15.

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

1. That for the purpose of completing the system of Water supply contemplated under an Act of the Legislature of the Province made and passed in the eighteenth year of the Reign of Her Majesty Queen Victoria, intituled *An Act to provide for an improved system of Water Supply and Sewerage of part of the City of Saint John, and Parish of Portland in the County of Saint John*, the Commissioners are hereby authorized and empowered to make a farther issue of Debentures to an amount not exceeding the sum of twenty five thousand pounds, in addition to the amount authorized by the provisions of the said Act, to be charged, paid, and redeemed in the same manner as the Debentures and the interest thereof issued under the said recited Act.
2. That the Commissioners shall be and are hereby authorized and required, whenever good and sufficient main pipes for Water supply in the Parish of Portland, or any part thereof, are laid and ready for use, to provide and place near said main pipe, such number of fire hydrants as they may think necessary and expedient; the cost of said fire hydrants, together with the expense of placing them and keeping them in good order, shall be chargeable on the said Parish of Portland; and the Commissioners shall prepare an estimate in each year of the sum or sums of money expended or required for these purposes, and shall, on or before the thirty first day of March, send a requisition in writing, under their hands or any two of them, to the Assessors of rates and taxes for the said Parish of Portland, to assess the same on the said Parish in like manner as other rates and taxes; and it shall be the duty of the said Assessors, and they are hereby required forthwith to comply with such requisition, and to proceed thereon in the same manner as upon ordinary warrants of assessments; and the amount so assessed shall be levied and collected in like manner as other City and County taxes, and paid over by the several Collectors to the Commissioners.
3. The Commissioners shall have authority to make bye laws and ordinances, and establish rules and regulations for the care and protection of fire hydrants, free hydrants, service pipes, meters and fixtures, within or without premises supplied, or ready to be supplied; to prevent any

unnecessary waste, or thing prejudicial to the general Water supply or works of the Commissioners, and regulate by meters, if necessary, the consumption of water on premises supplied, or to be supplied, and for shutting off water from any vessel, place or premises, for a violation of any bye law or ordinance, rules or regulations, made by the Commissioners; and the said Commissioners are hereby empowered to enforce said bye laws, ordinances, rules and regulations, impose and recover fines and penalties not exceeding forty shillings for any one offence, and levy and collect the same with costs, by Warrants of Distress, to be issued upon the order of the Commissioners, and signed by the Chairman, or two of the Commissioners, against the goods and chattels of the offender; provided always, that all such bye laws, ordinances, rules or regulations shall be transmitted on the making thereof to the Governor; and it shall and may be lawful for the Govern- nor in Council, within thirty days after the receipt of such ordinances, bye laws, rules or regulations, to disallow the same or any part thereof, which disallowance shall be signified to the said Commissioners, and thereupon the same or any pars thereof so disallowed shall be void.

4. That any demand to be made under the twenty second Section of the said recited Act, may be left with any person upon the premises, and if the premises are unoccupied or vacant, may be posted or affixed upon the same; and in any Warrant to be issued under the provisions of the said Act, for recovering rates and assessments, it shall be sufficient to state that a demand has been made of the amount of the rate; and any demand may be signed by the Chairman or Secretary of the Board, or person authorized by them to sign such demand.

5. The annual assessment roll shall be prepared and completed by the Commissioners, or under their direction, in each year, on or before the thirtieth day of September, based on the requirements of each successive year, and shall be so levied and collected; a copy of which assessment roll shall be kept for inspection at the office of the Commissioners; and any tenant, occupant, or other person, whose goods and chattels may have been distrained upon for the assessment upon the premises in which they may reside, shall be entitled to recover the same from the owner in fee, or leaseholder for renewable terms of the said premises, together with the costs and expenses that may have been incurred thereon, unless it can be shown that some agreement to the contrary had been made between the parties.

6. Sections fourteen and fifteen of the above recited Act shall include the Parish of Simonds in the County of Saint John, for all the purposes of the works of the Commissioners.

7. That so much of the provisions of the above recited Act as shall be repugnant to the provisions of this Act is hereby repealed.