

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1860. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1860.

23 Victoria – Chapter 62

An Act to place the appointment of the Commissioners of Water Supply and Sewerage for Carleton in the City of Saint John, in the Common Council of the said City, and for other purposes. Passed 9th April 1860.

Section.

1. Act 18 V. c. 6, in part repealed.
2. Commissioners to be appointed by the City Corporation: their general powers.
3. Remuneration of Commissioners.
4. Commissioners to be sworn to fidelity.
5. Chairman and one of the Commissioners may act.

Section.

6. Attendance and responsibility of Commissioners.
7. Members of Common Council ineligible as Commissioners.
8. Continuance in office and eligibility of present Commissioners.

Whereas by the First Section of an Act passed in the eighteenth year of Her Majesty's Reign, intituled *An Act to authorize that part of the City of Saint John called 'Carleton' to obtain Water from Spruce and other Lakes, and the Mayor, Aldermen and Commonalty of the said City to issue Scrip to defray the expenses of so doing*, provision was made that the Lieutenant Governor in Council should appoint three Commissioners for the management of the business connected therewith;—

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

1. That from and after the passing of this Act, so much of the Act passed in the eighteenth year of Her Majesty's Reign, intituled *An Act to authorize that part of the City of Saint John called 'Carleton' to obtain Water from Spruce and other Lakes, and the Mayor, Aldermen and Commonalty of the said City to issue Scrip to defray the expenses of so doing*, as vests the appointment of the Commissioners in the Lieutenant Governor in Council, be and the same is hereby repealed.

2. The Mayor, Aldermen, and Commonalty of the City of Saint John, in Council convened, shall have full power and authority to appoint, remove and re-appoint three persons to be Commissioners of Water and Sewerage in Carleton, one of whom shall be nominated by the said Common Council as Chairman of the Board; which Board shall be invested with all the functions, powers, authorities, rights, privileges, exemptions and immunities, and shall be subject to all the liabilities, pains, penalties, duties and responsibilities of Commissioners appointed under the said recited Act; and the several provisions of the said recited Act, and of an Act made and passed in the twenty first year of Her said Majesty's Reign, intituled *An Act in addition to and amendment of an Act to authorize that part of the City of Saint John called 'Carleton' to obtain Water from Spruce*

Lake and other Lakes, and the Mayor, Aldermen and Commonalty of the said City to issue Scrip to defray the expenses of so doing, shall apply to and be acted upon and carried out by the Commissioners so to be appointed by the said Common Council, except in so far as the same may be inconsistent with this Act.

3. The said Chairman shall have a salary not exceeding two hundred pounds per annum, to be named and fixed by the said Common Council, and each of the other Commissioners shall receive ten shillings for every day's actual attendance on the duties of his office, provided that the aggregate amount shall not exceed twenty five pounds for each Commissioner in any one year; provided also, that nothing shall be allowed to the said Commissioners or retained or appropriated by them for Clerk hire.
4. The said Commissioners before entering upon the duties of their office shall be severally sworn to the faithful performance of the duties and trusts reposed in and required of them by tills and the said recited Acts.
5. All and every of the powers, functions, duties, acts and things conferred upon or required or authorized to be done by the Commissioners of Water Supply and Sewerage for Carleton, may be exercised, ordered, done and performed by two of the Commissioners appointed under this Act, of whom the Chairman shall be one; and the same obedience and respect shall be paid to any warrant or requirement of such two Commissioners, as if they were made or issued by the whole of the said Commissioners.
6. It shall be the duty of the Commissioners to attend all meetings called by the Chairman, of which they shall have notice, and assist him in carrying out the provisions of this and the said recited Acts; but no one Commissioner shall be responsible for any act or thing done by a Co-Commissioner.
7. That no member of the Common Council shall, while he is such member, be eligible to be appointed or to be one of the said Commissioners, or to hold office under them.
8. That the present Commissioners shall remain in office until others are appointed in their stead, and nothing in this Act shall render the present Commissioners ineligible for re-appointment.