

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1862. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1862.

25 Victoria – Chapter 43

An Act in further amendment of the Law relating to Water Supply and Sewerage in the City of Saint John, and part of the Parish of Portland in the County of Saint John. Passed 23rd April 1862.

Section.

1. Chairman to give Bond.
2. Section 26 of former Act repealed.
Duty of Commissioners.
3. Auditors to have free access to all Books, &c.

Section.

4. Disqualified of certain persons.
5. Copy of assessment to be filed annually with Common Clerk.
6. Rates due, how recovered.

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

1. The Chairman of the Commissioners now in office, and any Chairman of the Commissioners to be appointed under the Act intituled *An Act to provide for an improved system of Sewerage and Water Supply of part of the City of Saint John, and Parish of Portland in the County of Saint John*, before entering on the duties of his office, shall give security by bond to the Common Council of the said City, to the satisfaction of the said Common Council, for the faithful discharge of all the duties of his office, under the provisions of the said Act, or any Act which may be passed in amendment thereof, and for the payment over (to such other Chairman of the Commissioners as the said Common Council, on any change of the Commissioners, may deem advisable and may order) of all moneys in the hands of the superseded Commissioners at the time of such change, and for accounting to the said Common Council from time to time for all or any of their acts, when they shall deem it necessary and so order.

2. The twenty sixth section of the said recited Act is hereby repealed, and in lieu thereof the Commissioners shall keep regular books of account, in which shall be entered all moneys received and all disbursements made from time to time under the authority of the said Acts, and also file in the office of the said Commissioners all correspondence, contracts, estimates, and other papers appertaining to the same; and they shall annually file in the Common Clerk's office detailed accounts of their receipts and expenditure, made up to the thirty first day of December in each year, for the use and inspection of all rate-payers; and the said Common Council shall appoint three Auditors to audit such accounts; and the said Commissioners shall submit all books of account, vouchers, correspondence, estimates, contracts, plans, assessments, and other documents and papers, for examination and investigation, to the said Auditors respectively, when they or either of them shall require the same.

3. The said Auditors respectively shall at all times, as heretofore, while engaged in auditing such accounts, have free access to all such books and documents hereinbefore mentioned and

connected with the duties of the said Commissioners, or on file in the office of the said Commissioners, as they may deem necessary to the elucidation and explanation of the items of said accounts; and further, the said Auditors respectively shall annually report to the said Common Council and General Sessions respectively, and their reports in detail shall be printed and published; and the said Auditors shall severally be entitled to the remuneration mentioned in the twenty eighth section of the said recited Act.

4. That from and after the second Tuesday in April next, no person shall be eligible to be a candidate or capable of being elected or returned as an Alderman or Councillor of the Common Council of the City of Saint John, or capable to sit and vote therein, who holds any situation under the Commissioners appointed or that may hereafter be appointed to manage the Water Supply and Sewerage of the City of Saint John and Parish of Portland.

5. The Commissioners shall annually file a copy of the book containing the assessment for the year in the office of the Common Clerk of the City, within one month after the same is made up, to be open at all times within office hours to the inspection of any rate-payer of the City or Parish of Portland without the payment of any fee.

6. No proceedings shall be taken under the twenty second and twenty third sections of the said Act for the recovery of any rate after the expiration of one year from the time of the assessment, provided that nothing in this section contained shall relieve any party from personal liability for any rate or assessment.