

No allowance to be made for buildings erected after the passing of this Act.

Copy of estimate and assessment to be deposited in the Clerk's Office, and public notice to be given before making report.

Parties affected may object.

Assessment may be amended.

Net damages awarded to be paid within one month after receipt of amount of assessments.

On neglect parties may sue.

Proviso for infants, parties non compos mentis, &c.

thereafter take down and remove all buildings or parts of buildings, erections or improvements of any description whatsoever, on the said lands, tenements, hereditaments and premises; provided that it shall not be lawful for the said Commissioners to allow any sum or compensation whatsoever for any building or buildings which may, after the passing of this Act, be built, placed or erected, in part or in the whole, on such part or parts of the said lands, tenements, hereditaments and premises that may be required for the widening, altering, straightening and enlarging the said Street.

IV. And be it enacted, That the said Commissioners after completing their said estimate and assessment, and at least fourteen days before they make their Report to the Common Council, shall deposit a true copy or transcript of such estimate and assessment in the Clerk's office of the said City, for the inspection of whomsoever it may concern, and shall give notice, by advertisement, to be published in at least two of the public newspapers printed in the said City, of the said deposit thereof in the said office, and of the day on which it will be finally filed as and for a record of their proceedings; and any person or persons whose rights may be affected thereby, and who shall object to the same or any part thereof, may, within ten days after the first publication of the said notice, state his, her or their objections to the same in writing to the said Commissioners, and the said Commissioners, or such of them as shall have made such estimate and assessment, in case any objections shall be made to the same, and stated in writing as aforesaid, shall reconsider their said estimate and assessment, or the part or parts thereof so objected to, and in case the same shall appear to them to require correction, but not otherwise, they shall and may correct the same accordingly.

V. And be it enacted, That the said Mayor, Aldermen and Commonalty shall within one calendar month after the several assessments made and to be made, as herein provided for the purposes of this Act, are collected and received by them, pay to the respective persons and parties mentioned or referred to in the said Report, in whose favour any sum or sums of money shall be estimated and reported by the said Commissioners the respective sum or sums so estimated and reported in their favour respectively, deducting in each case any sum or sums that such parties respectively, may in the said Report and assessment of the Commissioners, be declared liable to pay by reason of the benefit to them respectively accruing from the improvement of the said Street; and in case of neglect and default in payment of the same within the time aforesaid, the respective person or persons, party or parties in whose favour the same shall be so reported, his, her or their Executors or Administrators, at any time or times after application first made by him, her or them to the said Mayor, Aldermen and Commonalty in Common Council convened, for payment thereof, may sue for and recover the same with lawful interest from and after the said application therefor, and the costs of suit in an action of debt or assumpsit against the said Mayor, Aldermen and Commonalty, in any Court having cognizance thereof, and in which it shall be sufficient to declare generally for so much money due to the plaintiff or plaintiffs therein, by virtue of this Act, for premises taken for the purpose herein mentioned, and it shall be lawful for the plaintiff or plaintiffs to give any special matter in evidence under such general declaration, and this Act and the Report of the said Commissioners, with proof of the right and title of the plaintiff or plaintiffs to the sum or sums demanded, shall be conclusive evidence in such suit or action; provided that whenever the owners and proprietors of any such lands, tenements, hereditaments and premises so to be taken for any of the purposes aforesaid, or the party or parties, person or persons interested therein, or any or either of them, the said owners, proprietors, parties or persons in whose favour any such sum or sums or compensation shall be so reported, shall be under the age of twenty one years, non compos mentis, feme covert, or absent from the said City of Saint John, and also in all cases where the name or names of the owner or owners, parties or persons entitled unto or interested in any lands, tenements, hereditaments or premises that may be so taken for any of the purposes aforesaid, shall not be set forth or mentioned in the said Report, or where the said owners, parties or persons respectively being named therein, cannot upon diligent inquiry be found, it shall be lawful for the said Mayor, Aldermen and Commonalty to pay the sum or sums mentioned in the said Report payable, or that would be coming to such owners, proprietors, parties or persons respectively, into the Court of Chancery in this Province, to be secured, disposed of and improved as the said Court shall direct, and such payment shall be as valid and effectual in all respects as if made to the said owners, proprietors, parties and persons respectively themselves, according to their just rights, as if they had been known, and