

said, the inhabitants in general of, and all persons, whether resident or non-resident, being owners of real and personal estate in Carleton aforesaid, or in any part or portion thereof, shall be assessed by the said Commissioners for the same in each year, for a sum sufficient to defray the cost of managing and keeping the same in good order and repair, on a scale to be fixed and determined by them, due regard being had to the value, local situation, and mode of occupation of all the several and respective premises, and to the proportionate benefit that may probably accrue to the several and respective inhabitants and persons or their property liable to such assessment, and also to the probable consumption of water in each case, in such districts or localities wherein such good and sufficient mains shall have been laid down as aforesaid; and a copy of every such assessment shall be filed by the Commissioners in the office of the Common Clerk of the City of Saint John, within ten days after the making out of the same; and if any person shall consider himself aggrieved by reason of such assessment, it shall be lawful for him to appeal to the Common Council of the said City, provided that such appeal be made within thirty days after demand of payment of the amount assessed upon the party so appealing, and the decision of the Common Council on any such appeal shall be final, and such assessment shall thereupon be amended by the Commissioners, or be ratified and confirmed, as the said Common Council may order and direct.

12. All rates and assessments whatsoever made by the said Commissioners, under and by virtue of the authority of this Act, or of the said recited Act to which this Act is an amendment, and also all sums of money which may be payable under any agreement to be made by the Commissioners with any person for the use of the said water without the limits of the City, shall be levied and collected in the manner mentioned and provided in and by the fourth Section of this Act.

13. All assessments legally made by the said Commissioners shall, from the time of levying the same, be binding upon all and singular the goods and chattels, lands and tenements of the respective persons or parties so assessed, whether such persons or parties be resident or non-resident in Carleton aforesaid, and the same shall be recovered, with all incidental charges and expenses, by distress and sale of any goods and chattels belonging to such parties respectively, wherever the same may be found; and in case of any deficiency of goods and chattels to satisfy the same, the Commissioners may give public notice of any such assessment in any Newspaper published in the City and County of Saint John, such notice to be published for four consecutive weeks, if the party is a resident in the said City or County, and for twelve consecutive weeks if non-resident therein; and if after such notice duly published, the amount of such assessment, and all incidental costs and charges be not paid, any two Justices of the Peace, on the application of the said Commissioners, or any two of them, shall issue their warrant to the Sheriff of the said City and County, for the sale of so much of the real estate of the defaulting party as may be sufficient to pay and satisfy the same, with the costs of such execution and sale; and such Sheriff shall thereupon execute such warrant according to the exigencies thereof, and shall execute a Deed to the purchaser of the property so sold by virtue of such warrant; provided always, that no distress shall be made or levied on any goods or chattels as aforesaid, until thirty days after demand and refusal or neglect of payment of any such assessment.

14. It shall be in the option and at the discretion of the Commissioners in every case, in lieu of proceeding forthwith to authorize a sale of any real estate as aforesaid, to file or register a memorial of the amount or balance of any such assessment, costs and expenses, which may not have been levied or realized by distress and sale of goods and chattels; and such memorial being registered in the office of the Registrar of Deeds for the City and County of Saint John, shall have the same force and effect, and shall bind the lands and tenements of the defaulting party named therein, in the same manner as any registered memorial of a judgment recovered in the Supreme Court; provided always, that no such memorial shall be so filed or registered until after the expiration of the time herein before mentioned and required for advertising the assessment, and every such memorial shall set forth and state on oath the facts and particulars of such assessment having been made, of the deficiency of goods and chattels to satisfy the same, and of the due publication or advertising of the same as aforesaid.

15. The Commissioners shall keep regular books of account, in which shall be entered all moneys received and all disbursements made by them from time to time under the authority of this Act, or of the Act to which this Act is an amendment, and a detailed statement of all such accounts shall be annually made up by the Commissioners to the first day of January in each year, and by them submitted with all proper vouchers to two or more Auditors to be appointed by the Common Council of the City of Saint John, by and with the consent of the majority of the said members of Common Council elected in and for Carleton, which said Auditors shall report thereon to the said Common Council, and furnish a copy of such report to the Commissioners, who shall publish an abstract thereof for the public information on or before the first day of March in each year; and the report so furnished to the Common Council shall be filed in the office of the Common Clerk of the said City.

16. The Auditors appointed under the fifteenth Section of this Act shall be paid by the Commissioners such remuneration as a majority of the said Members of Common Council may determine, not exceeding twenty shillings per day for each day's actual employment in the duty assigned to them.

17. The Commissioners shall at all times regulate the price, rents or rates to be charged or assessed for the use of the water supplied by the works contemplated by this Act, or by the said recited Act, of which this Act is an amendment, anything in the said recited Act to the contrary notwithstanding.

18. The Commissioners shall pay the moneys from time to time collected for the use of the water aforesaid, into the hands of the Chamberlain of the said City, who shall keep a separate account of said moneys, to be applied to the payment of the interest on the said Carleton Water Scrip.

19. When any Carleton Water Scrip is issued under the fifth Section of the said recited Act, the said Mayor, Aldermen and Commonalty shall sell the same or any part thereof, from time to time, at public or private sale, or pledge the same for money borrowed for the purposes of this Act, or the said recited Act, on such terms and conditions as the Commissioners shall judge best, and the proceeds shall be paid over to the Commissioners.

20. All mains, hydrants, service pipes, main and branch drains, sewers, and other works, whether connected with sewerage or water supply of Carleton aforesaid, shall be