

within one calendar month after the said 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 and referred to in the said Report, in whose favour any sum or sums of money shall be estimated and reported by the said Commissioners, or otherwise deal with as in the third Section of this Act is provided, 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 extension of the said Street; and in case of neglect or default in payment, according to the intention and requirements of this Act, 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 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 reported as required for the purpose herein mentioned; and it shall be lawful for the plaintiff or plaintiffs to give any special matter in evidence under 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.

6. The respective sums or assessments so to be assessed and reported by the said Commissioners, as and for the allowance to be made by the parties and persons respectively in the said Report mentioned as owners and proprietors of, or parties interested in lands and tenements deemed to be benefited by the extension and continuation of the said Street, as mentioned in the said Report, shall be borne and paid to the said Mayor, Aldermen, and Commonalty, by the said parties and persons respectively; and the residue or remainder, being a moiety or half part of all the moneys which may be due for and on account of the sums or estimates of compensation and recompense that may be reported by the Commissioners in favour of the respective persons and parties deemed to be entitled thereto; and any sum necessary for making and finishing the said extension, and also all expenses, disbursements, and charges, which may arise or be incurred under the provisions of this Act, shall and may be assessed on that part of the said City of Saint John which lies on the western side of the Harbour; and the said Mayor, Aldermen, and Commonalty of the City of Saint John, in Common Council convened, are hereby authorized and required to order and direct the said residue and remainder, being one moiety or one half of the said moneys, and the expenses hereinbefore mentioned, together with the charges of assessing, levying, and collecting the same, to be forthwith assessed, levied, collected, and paid in such proportions and in the same manner as any rates for public charges are or may be assessed, levied, collected, and paid under and by virtue of any Act or Acts of Assembly made or to be made for assessing, levying, and collecting rates for County, Town, or Parish charges.

7. The several and respective sums or assessments hereinbefore directed to be paid to the said Mayor, Aldermen, and Commonalty, shall be a lien or charge on the lands, tenements, hereditaments, and premises in the said Report of the Commissioners mentioned, or upon the estate and interest of the respective owners and proprietors thereof, or parties interested therein; and as well the said owners and proprietors thereof, and parties interested therein, as also the occupants of each and every of them, shall moreover be respectively liable to pay on demand the respective sum or sums mentioned in the said Report of the Commissioners, at which the respective lands, tenements, hereditaments, and premises so owned and occupied by him or them, or wherein he, she, or they, are so interested, or at which the owners or proprietors thereof shall be so assessed, to such person or persons as the said Mayor, Aldermen, and Commonalty shall appoint to receive the same; and in default of payment of the same, or any part thereof, it shall be lawful for the Mayor of the said City, by Warrant under his hand and seal, to levy the same, with lawful interest thereon, from and after thirty days from the time of the filing of the said Report of the Commissioners, together with the charges and expenses to be had for the collection thereof, by distress and sale of the goods and chattels of such owner and owners, occupant or occupants, or party or parties interested, so refusing or neglecting to pay the same, rendering the overplus, if any there be, after deducting all just charges, to which owner or owners, occupant or occupants, or party or parties interested; or the said respective sums, with lawful interest as aforesaid, may be recovered, with all costs and charges, by the said Mayor, Aldermen, and Commonalty, from and against the owner or owners of the respective lands, tenements, hereditaments, and premises whereon or in respect of which the same may be assessed or set forth in the said Report of the Commissioners, or from or against any or either of them, the said parties or owners, without joining any other or others of them, the said parties or owners therein, by action of debt or assumpsit, in which it shall be sufficient to declare generally for so much money due by virtue of this Act to the said Mayor, Aldermen, and Commonalty, and every matter may be given in evidence after such general declaration; or the same may be recovered by sale of the respective lands, tenements, hereditaments, and premises, for and on account of which the said respective sums shall be so assessed: And it shall be the duty of the Mayor of the City of Saint John, upon the requisition of the person so appointed to receive the said sums or assessments, and after demand of such person of any sum of money which is hereby declared to be a lien or charge upon any such lands, tenements, hereditaments, and premises, of and from the owner or owners, any or either of them, of such lands, tenements, hereditaments, and premises, in respect of which the said sum or sums shall have been so assessed; or from and after twenty days after such requisition published in the Royal Gazette, and one or more of the Newspapers published in the City of Saint John, by Warrant under his hand and seal, directed to the Sheriff of the City of Saint John, to cause the said lands, tenements, hereditaments, and premises to be sold at public auction, and out of the proceeds thereof, the amount of the assessment against the owner or owners thereof, or parties interested therein, together with lawful interest thereon, to be paid to such receiver, and the overplus, if any, arising from such sale, after deducting all just charges and expenses, to be paid to the owner or owners of the lands, tenements, and hereditaments.