

being, upon the application of the said party or parties aggrieved, to appoint the third arbitrator; and the decision and award in writing of the said arbitrators, or of any two of them, under their hands and seals, shall be final and conclusive, and binding on all parties concerned, provided their award be made and delivered to the parties within the period of sixty days from the time of their appointment; and in case the said arbitrators should not make their award within the time above specified, other arbitrators may be appointed in like manner, until an award shall be made; and in case the said Commissioners shall neglect or refuse to appoint an arbitrator as aforesaid for the space of ten days after being requested by the opposite party so to do, or in case any arbitrator appointed by the said Commissioners shall neglect or refuse for the space of ten days after notification of his appointment to act in the said arbitration, the arbitrator appointed by such opposite party shall alone proceed with such arbitration, and his decision and award shall in such case be final, conclusive and binding on all parties; and all sums of money so agreed upon or awarded, shall be paid in Carleton Water Scrip, at par; and the seventh Section of the said last recited Act is hereby repealed.

5. That the Commissioners shall have power to appoint, and are hereby authorized to appoint and employ, and from time to time at their discretion, and as they may deem requisite, to dismiss, re-appoint and employ a Collector of Rates, to collect all Assessments or Water Rates now made or hereafter to be made by the Commissioners under the said two recited Acts, or under this Act, or any other Act relating thereto, and to pay and allow the said Collector such compensation or percentage as to the said Commissioners may appear reasonable and proper; provided always, that every such appointment, dismissal or re-appointment shall be made in writing, under the hands of the Commissioners or any two of them, and be filed in the office of the Common Clerk of the said City, before such Collector or any other Collector appointed after dismissal of any former Collector shall act.

6. That in case the Commissioners shall not deem it expedient to apply the proceeds of the additional Carleton Water Scrip, authorized to be issued by the first Section of this Act, to the payment of the interest in the said first Section of this Act named, then the Commissioners already appointed and now acting under and by virtue of the said two recited Acts, or any other Commissioners hereafter to be appointed under and by virtue of this Act, or of the said two recited Acts to which this Act is an amendment, or any other Act relating thereto, shall have power to assess, and are hereby authorized from time to time as may be necessary to assess, for the payment of the said interest, or any part or proportion of the same, all persons liable to be assessed under and by virtue of the third Section of this Act, and the Commissioners shall also have power, and are hereby authorized from time to time to assess all persons liable to be assessed under and by virtue of the third Section of this Act, beyond the amount of the said interest, and over and above all other rates or assessments, such further sum or sums, amount or amounts, as may in the opinion of the said Commissioners be sufficient to reduce and ultimately to pay off the whole amount of principal and interest due on Carleton Water Scrip, within the period of forty five years from the first issue of Carleton Water Scrip, under the said two recited Acts to which this Act is an amendment, or either of them.

7. That all penalties or fines for breach of any of the bye laws, rules, and regulations, or requirements made or hereafter to be made by the Commissioners under and by virtue of the said recited Acts, or either of them, or any other Act relating thereto, shall be recoverable, with costs, before the Police Magistrate of the said City of Saint John, on complaint of the said Commissioners, or of any other person on behalf of the said Commissioners, and such fines shall be paid by the said Magistrate to the said Commissioners, and shall be used and applied by them in and about carrying out the purposes of this Act, and of the said two recited Acts to which this Act is an amendment.

8. That any power, jurisdiction or authority in and by the said two recited Acts, and in and by this Act given to or vested in two Justices of the Peace, is hereby also given to and vested in the Police Magistrate of the City of Saint John.

9. That all rates and assessments whatever made by the said Commissioners under the authority of this Act, or of the said two recited Acts to which this Act is an amendment, and all and every instalments or instalment of such rates or assessment, and also all sums of money in any way payable to the said Commissioners as such, under this Act or under the said two recited Acts to which this Act is an amendment, or any other Act relating thereto, shall be payable to the Collector to be appointed under this Act by the said Commissioners, and shall be recoverable before the Police Magistrate of the said City of Saint John, with costs, upon an affidavit of the said Collector that the said rates or assessments, or instalments thereof, have been demanded from the parties liable to pay the same and have remained unpaid by the space of ten days after such demand, and the same shall be recovered with costs and 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.

10. That as well the chattels real as the real estate of defaulters shall be liable to be sold by the Sheriff under the thirteenth Section of the said last recited Act, and for the warrant (A) the sum of ten shillings shall be paid to the Justices or Police Magistrate issuing the same, and the Sheriff's fees on the execution of said Warrant shall be the same as now allowed by law upon execution issuing out of the Supreme Court: Provided always, that no sale of any chattels real, or real estate, shall be sold under any such warrant until such Sheriff shall have given two weeks previous notice of the time and place of such sale by publication in a Newspaper published in the said City and County; and the said Sheriff shall execute the said Warrant and return the same to the said Justices or Police Magistrate within two months from the date of the same being placed in his hands, and pay over the proceeds to the said Justices or Police Magistrate for the said Commissioners, and no irregularity in the previous proceedings shall avail as against a bona fide purchaser of the said chattels real or real estate at any such sale by the said Sheriff.

11. That the commitment of any person to the common gaol under the twenty fourth Section of the said last recited Act, shall be by Warrant (B,) under the hand of the committing Magistrate or Justice.

12. That all proceedings for penalties or fines under and by virtue of this Act, or of the said two recited Acts to which this Act is an amendment shall, unless in this Act otherwise ordered, as nearly as may be, be in the form as now provided in