

and the expenses of the Commissioners, and all other expenses incident to the performance of the powers and duties vested in them by this Act, including the allowance of the Clerk, which shall be a reasonable remuneration, to be settled by the Commissioners, the Commissioners shall make an assessment on the several owners of the land on the Marsh for which the expenses are incurred, assessing them according to the number of acres of land held or owned by each, provided that no assessment shall be made on any land which the Commissioners shall consider not to be benefitted by such works or repairs; and on such assessment being made, the said Commissioners shall cause a Notice (A) to be published for the space of twenty days, (which said Notice shall be signed by the Chairman and Clerk,) in one of the newspapers published in the City of Saint John, and by advertising in three public places in the Parish; which notice shall contain a list of the said owners, the amount assessed on each, and the quantity of land on which such assessment is made.

9. In case any owner of land shall not within thirty days after the first publication of such notice as aforementioned, pay the amount for which he, she or they are so assessed, to the Chairman of the said Commissioners, the said Commissioners or any two of them shall thereupon issue a distraint Warrant, (B) signed by the said Commissioners or any two of them and the said Clerk, directed to the Sheriff of the City and County of Saint John, under which warrant the Sheriff shall levy on the goods and chattels of the party or parties or body corporate against whom the same shall be issued; and in case there shall not be sufficient goods and chattels in his bailiwick to satisfy the same, the Sheriff shall levy on any portion of the land of the said party or parties or body corporate on which such assessment was made, and shall lease or sell the same to satisfy such warrant; but no sale shall take place until the time and place of such sale shall be advertised by the Sheriff at least three months continuously in some newspaper published in the City of Saint John, the sale to be made between the hours of twelve and five in the afternoon, and the Sheriff shall execute to the purchaser or purchasers of such land a deed of such land, (C) which shall be sufficient to convey all the interest of the person or persons or body corporate against whom the said warrant was issued, and the Sheriff shall return the said warrant to the Chairman of such Commissioners, who shall cause the same to be filed in the office of the Clerk of the Peace in and for the City and County of Saint John; and if there shall be any surplus after paying the amount for which such warrant was issued, and the Sheriff's fees thereon, the Sheriff shall pay over the same to the person or persons against whom the warrant was issued.

10. That the deed of the Sheriff, duly acknowledged or proved and registered, or a certified copy thereof, shall be evidence that the said property so conveyed was regularly seized, advertised, and sold; and in case of the death or going out of office of the Sheriff who has seized, advertised or sold any lands, the sale or conveyance thereof, or both, may be completed by his successor without any new warrant or any alteration in the previous proceedings.

11. The Commissioners shall keep a separate record of each of the several Marshes, which said record shall contain a record of all the meetings of the owners of Lands on such Marsh called by them, and of all meetings of the said Commissioners with reference thereto, and of all work done by them, and of all contracts entered into, and all assessments

made by them, with respect to any such Marsh; which said records shall (except where the same are in use at such meetings,) be kept on file in the office of the Clerk of the Peace for the County of Saint John; and the said Commissioners shall, annually, on the second Monday in January in each year, file with the said Clerk of the Peace a separate detailed account for each of the said Marshes, of all moneys expended by them as such Commissioners during the year previous which said records and accounts shall be open to the inspection of any owner of Land on the Marsh to which they refer, upon payment of the fee of twenty cents to the Clerk of the Peace for such inspection.

12. The Commissioners shall be intitled to receive out of the moneys to be raised by any such assessment, two dollars each for each day's attendance at such meetings, and two dollars for each day's attendance when superintending the workmen employed in dykeing or draining; provided that not more than one Commissioner shall be paid for attendance as Superintendent on the same day.

13. In case of any vacancy in the said Commissioners by death or otherwise, the Governor in Council may from time to time appoint another Commissioner to fill any such vacancy; and in case of a vacancy by death or resignation of the Chairman of Commissioners, the Commissioners may appoint one other of their number Chairman, and in case of the absence of the Chairman at any meeting, the Commissioners may appoint a Chairman for the time being to act at such meetings.

14. The Commissioners may employ one Clerk for all the Marshes in the said Parish, or they may have a Clerk for each Marsh or otherwise, and remove such Clerk from time to time and appoint others; and any irregularity in any meeting, assessment, or other proceeding for any one Marsh, shall not affect or invalidate the proceedings with regard to any other Marsh in the said Parish.

SCHEDULE A.

NOTICE.

To the owners of the Marsh, [as the case may be] in the Parish of Lancaster, in the County of Saint John.

The following persons, owners of Land on the Marsh, [as the case may be] in the Parish of Lancaster, in the County of Saint John, have been assessed in the sums set opposite their respective names, and they will pay such sums respectively to the undersigned, Chairman of the Commissioners of Sewers, on or before the day of next, or proceedings will be taken to collect the same.

Name of owner of Land.	Sum assessed.	No. of acres.	Rate per acre.

Dated St. John, day of A. D. 186 .
 (Signed) A. B., Chairman of Comm'rs of Sewers
 C. D., Clerk. on Marsh.

B.

To the Sheriff of the City and County of Saint John.

By virtue of the power and authority in us vested under and by virtue of the Act of Assembly twenty seventh Vic-