

of Taxes of the said Town shall give at least ten days notice thereof, in form B, in some public newspaper published in the City and County of Saint John; and if the sums in such apportionment, as confirmed by the Town Council, be not paid according to such notice, the said Receiver of Taxes shall issue executions, according to form C, to recover the same, which execution shall be enforced by any policeman or constable of the said Town, and shall run into and have full force and effect in all parts of the City and County of Saint John, and the same may be executed, and all proceedings had thereon in all parts of the said City and County of Saint John, as fully and effectually as within the Town of Portland; the keeper of the jail of the said City and County of Saint John shall receive and keep any such person, pursuant to the tenor thereof, provided that no person arrested under or by virtue of any such execution shall be confined more than one day for every forty cents of the whole amount contained therein; the fees on such execution shall be as follows—to the Receiver for the use of the Town, on issuing such execution, ten cents, and to the policeman or constable for his own use, for executing the same, forty cents.

11. All moneys payable by any such apportionment shall be payable to the Receiver of Taxes of the said Town, and shall when received be carried to a special Account in the Books of the said Town, and shall be applied from time to time in payment for the making of such drain or sewer, as the same shall progress. If the sum collected shall be less than enough to pay the proportion of the charges of such sewer assessed upon the owners of property bordering thereon, the deficiency shall be borne by the said Town; and in like manner any overplus thereof shall be paid into the general funds of the said Town, and no such apportionment shall be vitiated by any such overplus or deficiency.

12. In the laying down, construction, repairing and alteration of any drain or sewer, the Town Council of the said Town and their servants, agents or workmen, shall have full power, and they are hereby authorized from time to time as occasion may require, to enter upon any lands and tenements in the said Town, whether inhabited or otherwise, and to remain thereon as long as they may deem requisite for the proper execution of the work, and to make all such excavations on the premises as may be expedient, and take up and remove any floors, timbers, planks, or any walls, fences or erections whatsoever, doing no unnecessary damage to the same, and carefully replacing and repairing the same, upon the requisite work being performed.

13. No charge shall be made to any person or persons for the privilege of entering a drain or drains from any house or building into any public drain or sewer, but every such person shall pay the charges of making such drain or drains from such house or building to the said sewer, and may, if a public drain or sewer shall pass such house or building, be so required to enter the same by the Town Council or any person acting under their authority, and shall be liable in such case to a fine of one dollar for every day he, she or they shall neglect so to do.

14. It shall and may be lawful for the Town Council to borrow from time to time for such period as they shall determine, such sum or sums of money in loan of not less than one hundred dollars each, not exceeding ten thousand dollars in the whole, for the purpose of paying the proportion to be borne by the said Town, of the charges and expenses of such

drains or sewers to be laid as aforesaid, and to issue Debentures with or without coupons or interest, at a rate not to exceed six per cent per annum, payable semi-annually to the lenders thereof, in such form as the Town Council may deem expedient, which Debentures and coupons shall be respectively negotiable in the same manner as promissory notes payable to bearer.

15. The said Debentures shall be sealed with the corporate seal of the said Town, and signed by the Chairman of the Town Council and the Treasurer of the said Town, and shall be consecutively numbered according to the time at which the same shall be issued.

16. The interest due on the said Debentures shall from time to time be paid as the same shall be due, and payable from the general revenues of the said Town, and in addition to the payment thereof, not less than three hundred dollars from such general revenues shall be annually invested, subject to the orders of the Town Council, in good Provincial, County, City, School, or other public or local Debentures, and held as a sinking fund, to be applied in payment of the said Debentures, to be issued under authority of this Act, as the principal of the same shall become due or payable, or as the same may be redeemed.

17. In each year after the issue of all or any of the Debentures mentioned in Section fourteen of this Act, the Town Council shall, together with their warrant to the Assessors, as provided for by Section one hundred and seventeen of Act 34th Victoria, Chapter 11, intituled *An Act to incorporate the Town of Portland*, signify by warrant to the Assessors what sum of money shall be raised and levied in the said Town of Portland, for the purpose of meeting the interest due or becoming due on the said Debentures, and also the sum to be invested under Section sixteen of this Act, as a sinking fund for the payment of such Debentures, and the said Town Council shall also signify by such warrant, and therein specify upon what real and personal property in the said Town such sums of money shall be levied and collected; and such sums of money shall, as to such real and personal property so specified, be assessed, levied and collected in all respects as ordinary rates and taxes are assessed, levied and collected in said Town.

18. And whereas it may happen that some certain sewer or drain made and laid in pursuance of the provisions of this Act, will be of little or no benefit to property lying in remote parts of the Town, it shall therefore be the duty of the Town Council before the payment of any moneys for any such sewer or drain, to fix and determine whether the proportion of the cost and expense of such sewer or drain to be borne and paid by the Town, shall be borne by the whole Town or only a part; and if only a part, by what part and in what proportions, regard being had to the locality of the sewer or drain, and the greater benefit to be derived therefrom by some localities or districts than by others; and in the warrant of amount provided for by Section seventeen of this Act, the said Town Council shall designate the particular localities or districts liable to be assessed for such interest and sinking fund, and the sums or proportions to be assessed on each; and real or personal property elsewhere in the said Town than in the localities or districts so designated, shall not be assessed for or liable for any such sums, nor shall any person in any case be liable to be so assessed on his income. When any such warrant shall have once issued, the real and