

Street and Nelson Street aforesaid, and also of laying out and opening the said new Street, in continuation of Smyth Street, southwardly, until it meets the North Market Wharf; and for that purpose the said Commissioners shall have power and authority to enter into and upon the lands and tenements in the said District, and to determine and decide where, and in what manner, such Streets, respectively, are to be widened, extended, altered, straightened, enlarged, opened and laid out.

“ III. And be it enacted, That the said Commissioners, so soon as they shall have caused such Survey and Plan to be made, and shall have decided where and in what manner such Streets, respectively, are to be widened, extended, altered, straightened, enlarged, opened and laid out, shall proceed to make a just and equitable estimate and assessment of the value of the lands, tenements and hereditaments required for widening, extending, altering, straightening, enlarging, opening and laying out such Streets, respectively, and shall assess and apportion three fourth parts of the amount of such estimated value on all the parties interested in any lands, tenements and hereditaments within the said district, including the parties interested in such lands, tenements, and hereditaments required for the purposes of such Streets, respectively, according to their best discretion, in proportion to the benefit accruing to such parties respectively from the improvement of the said Streets, and shall thereupon file the said Plan with the common Clerk of the said City, as and for a Record of their doings in that respect, and shall forthwith report their proceedings and all matters and things connected with their duties as such Commissioners to the Common Council of the said City; And in the said report, the Commissioners who shall make the same, shall set forth the names of the respective owners, lessees, parties and persons entitled unto, or interested in such lands, tenements, hereditaments and premises mentioned in the said report, and each and every part and parcel thereof, as far forth as the same shall be ascertained by them, and an apt and sufficient designation or description of the respective lots or parcels of land and other tenements, hereditaments and premises that may be required for the purpose of widening, extending, altering, straightening, enlarging or laying out such Streets respectively, and also of the said respective lots or parcels of land and other tenements, hereditaments and premises within the said District so assessed by the said Commissioners for the said benefit as aforesaid, and also the several and respective sums estimated and assessed as and for the compensation and recompense or the allowance to be made for the value of the land and other tenements, hereditaments and premises so taken for the purposes aforesaid, as also the sums assessed upon the same for the benefit and advantage of the respective owners of the fees or inheritance of such lands, tenements, hereditaments and premises, respectively, or for the compensation or damage and for the assessment for the benefit of the respective owners of the leasehold estate or other interest therein, separately; but in all and each and every case and cases where the owners and parties interested, or their respective estates and interests are unknown or not fully known to the said Commissioners, it shall be sufficient for them to estimate and assess and to set forth in their said report in general terms, the respective sums to be allowed and paid to or by the owners or proprietors generally of such lands, tenements, hereditaments and premises, and parties interested therein for the compensation and damage, and for the assessment for the benefit and advantage to such owners, proprietors and parties interested, in respect of the whole estate and interest of whomsoever may be entitled unto or interested in the said lands, tenements, hereditaments and premises respectively, by and in consequence of the widening, enlarging, extending, altering, straightening, opening and laying out such Streets respectively, without specifying the names or the estates or interests of such owners, proprietors and parties interested, or of any or either of them; And upon the coming in and filing of such report, the same shall be final and conclusive, as well upon the Mayor, Aldermen and Commonalty of the City of Saint John, as upon the owners, lessees, parties or persons interested in and entitled unto the lands, tenements, hereditaments and premises mentioned in the said report; And the said Mayor, Aldermen and Commonalty shall become possessed of all the said lands, tenements, hereditaments and premises in the said report mentioned, that shall or may be so required for the purpose of widening, extending, altering, straightening, enlarging, opening and laying out such Streets, the same to be appropriated, converted and used to and for such said purposes accordingly, and for none other whatsoever; And thereupon the said Mayor, Aldermen and

Commonalty