

such property, or after notice shall refuse, when required, to assist either in carrying water, or obeying any other command of such Police for the purpose of suppressing the said fire or preserving any property.

XI. And be it enacted, That from and immediately after the breaking out of any fire in the said City, any one or more of the said Police, taking with him or them any one Justice of the Peace for the City and County of Saint John, may enter any dwelling house, store, out house or erection of any kind, or any yard or land, and search the same for goods, chattels or articles of any description, stolen or suspected to have been stolen at or during the continuance of the said fire, or missing in consequence of such fire; and any goods, chattels or articles found therein, under the circumstances aforesaid, shall and may have full power and authority to convey or cause to be conveyed to some safe place of deposit, or leave the same with the said Justice to be dealt with according to law.

After fires, Police empowered to search for stolen goods.

XII. And be it enacted, That whenever it shall appear that any person has had in his possession any goods, chattels or articles of any description whatever, which may have been stolen, missing, lost, or taken away at any fire, or after any fire, and before the same has been restored to the owner, for the space of twenty-four hours after the said fire shall cease, without notice to the owner thereof, or to some one of Her Majesty's Justices of the Peace, or of the said Police, such possession, without such notice, shall be deemed and adjudged *prima facie* evidence that such person has been guilty of larceny, and on conviction thereof shall suffer like punishment as in a case of larceny.

Having in possession goods taken away at a fire to be *prima facie* evidence of larceny.

XIII. And be it enacted, That an Act made and passed in the fifty ninth year of the Reign of George the Third, intituled "An Act in addition to and amendment of an Act, intituled, 'An Act to revive and make perpetual an Act authorizing the Mayor, Aldermen and Commonalty of the City of Saint John to make regulations for the more effectual prevention of Fires within the said City,' " together with this Act, shall continue and be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and fifty.

59 G. 3, c. 5, continued.

Limitation.

CAP. LXXXI.

An Act to limit the extent and regulate the building of Wharves on the eastern side of the Harbour of Saint John.

Passed 31st March 1840.

WHEREAS certain Commissioners were, by His Excellency the Lieutenant Governor, appointed to enquire into and report upon the state of the Harbour of Saint John, and have, in pursuance of such appointment, made a Report touching part of the said Harbour, and have caused a certain Plan of part of the said Harbour to be prepared; and the Mayor, Aldermen and Commonalty of the said City have, by Petition to the Legislature, applied for an Act to define and fix a permanent line in part of the said Harbour, to which the extension of Wharves shall be limited;

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act no Wharf, Pier or erection of any kind or description whatsoever shall be built, erected or extended westwardly into the said Harbour of Saint John, on the eastern side thereof, beyond a line to be formed as follows, viz: commencing at the point formed by the westwardly prolongation of the southern line of the Wharf owned by Robert W. Crookshank, and a southerly continuation of the western line of the Pier at the end

No wharves or Piers to be erected on the eastern side of the harbour extending beyond a described line.

end of the southern Wharf of the north slip, which said point is seventy feet distant from the southwest corner of the said Robert W. Crookshanks' present Wharf, thence from said point in a direct line to the southwest corner of the Wharf now or lately the property of David Hatfield to the southward of the South Market Wharf, thence in a direct line to the southwest corner of Nehemiah Merritt's south Wharf, thence in a direct line to a point in the western prolongation of the south line of the Wharf of the late Richard Bonsal, distant sixty feet from the western end of the said Wharf, and thence in a direct line to a westwardly prolongation of the north line of Saint James Street, at the distance of one hundred and eighty five feet from the western side line of Prince William Street, measured on the north line of Saint James Street as marked on the said plan; and that the said plan so prepared by the said Commissioners shall be signed by them and filed in the office of the Secretary of the Province.

How wharves to be constructed and occupied.

II. And be it enacted, That all Wharves to be erected within or on the eastern side of the said line, shall be of squared Timber and close built, so as to prevent stone, rubbish or gravel from falling into the Harbour, and no ballast shall be allowed to be used in the building thereof but stone, and the tops of such Wharves to be planked or timbered in the same manner as the North and South Market Wharves; and such Wharves to the extent of forty feet from the fronts thereof respectively, to be for ever kept free and open for vessels to repair to, and load and discharge thereat, and no Houses or Stores shall at any time be erected on the said spaces, and no Lumber or Goods of any sort be permitted to remain on such spaces longer than twenty four hours.

No wharf to be built on the harbour front between Duke and Saint James Streets unless land be conveyed for the continuation of Saint John or Water Street.

III. 'Whereas the property fronting on that part of the Harbour of the City of Saint John, situate between Duke and Saint James Streets, would be greatly benefitted, and the Harbour made more commodious for loading and discharging goods, if a Street in continuation of Saint John or Water Street were to be laid out thereon;' Be it enacted, That it shall not be lawful for the owners of such property to build or authorize to be built any Wharf, Pier or other erection, on the beach or flats between the line of low water mark and the line for limiting the extension of Wharves described herein, unless such owner or owners shall have first conveyed to the Mayor, Aldermen and Commonalty of the said City, a space of not less than fifty feet in width through his or their property, ground or flats, for the sole and exclusive purpose of continuing Saint John or Water Street from Duke to Saint James Street, as aforesaid.

Two Slips for each block to be left as landing slips.

IV. And be it enacted, That no space between low water mark and the line defining the extent to which Wharves may be built, shall be leased or sold to any person or persons whomsoever, unless it shall first be stipulated that at least two Slips of not less than thirty five feet in width each, and one hundred and twenty feet or more in length, shall for ever be left open and kept as Landing Slips, with cart ways leading to the public Streets, for each block or space contained between Union and King Streets, King and Princess Streets, Princess and Duke Streets, Duke and Queen Streets, and Queen and Saint James Streets.

CAP. LXXXII.

An Act to authorize the granting of certain Tracts of Land, to the North American Colonial Association of Ireland, and to prescribe the terms and conditions thereof.

Passed 31st March 1840.

Preamble.

'WHEREAS it is desirable that reasonable encouragement should be afforded to the North American Colonial Association of Ireland to introduce and settle Emigrants into this Province;'

I.