

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1852. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1852.

15 Victoria – Chapter 62

An Act to amend and explain an Act to permit the establishment of a Fish Market in one of the public Slips in the City of Saint John. Passed 7th April 1852.

Whereas an Act was passed in the fourth year of Her Majesty's Reign, intituled *An Act to permit the establishment of a Fish Market in one of the public Slips in the City of Saint John*: And whereas doubts have arisen whether the said Act authorizes and empowers the Mayor, Aldermen and Commonalty of the City of Saint John entirely to occupy and fill up with erections and buildings the said public Slip, and thereby deprive the owners or occupiers of the lots or parcels of land having fronts on the north and south sides of the said public Slip, as well as all other of Her Majesty's liege subjects, of all access to and through the said public Slip and to the said lands and premises on the side lines thereof, and likewise to the Harbour, to the inconvenience of the public and the great loss and detriment of the owners and occupiers of the said lots or parcels of land;

1. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, that nothing in the said recited Act contained does extend or shall be deemed or construed to extend to authorize or empower the Mayor, Aldermen and Commonalty of the City of Saint John to occupy and fill up the said public Slip at the foot of Duke Street with any fence, erection or building or incumbrance of any nature or description, extending in width on Saint John or Water Street, across the whole breadth or mouth of the said public Slip; or to legalize any fence, erection or building now made and erected or hereafter to be made and erected across the mouth of the said Slip other than the Fish Market first erected under the provisions of the said recited Act, fronting twenty eight feet on Saint John or Water Street, and extending the same width westwardly, and the wharf and erections in the rear thereof to the westward of the said Fish Market, of the same width as such market; or to authorize and empower the Mayor, Aldermen and Commonalty of the City of Saint John to erect or place any buildings, sheds or erections in the said public Slip between the north and south side lines of the Fish Market so first erected as aforesaid under the authority of the said Act, and such prolongation thereof westwardly, and the said north and south side lines of the said public Slip respectively; or to legalize or authorize any erection now placed or hereafter to be placed between the said north and south side lines of the said Fish Market so first erected and the said prolongation thereof westwardly, and the said north and south side lines of the said public Slip; provided always and be it enacted, that nothing herein contained shall prevent or be construed to prevent the Mayor, Aldermen and Commonalty of the City of Saint John, (if essentially necessary for the purpose of a Fish Market) from extending and enlarging the said Fish Market so first erected under the authority of the said recited Act, by lengthening or extending the same to the westward, preserving the same width as when first erected, in such manner as from time to time may be necessary for further public accommodation as a Fish Market, always reserving and keeping open for public use the passages on the north and south sides of said building, and on the north and south lines of the properties so bounding on said Slip respectively; provided also, that nothing in this Act contained shall hinder or prevent the Mayor, Aldermen and

Commonalty of the City of Saint John from removing from and out of the said Slip all or any erection made by them in the said public Slip under the provisions of the said Act, intituled *An Act to permit the establishment of a Fish Market* in one of the public Slips in the City of Saint John; or to prevent the said Mayor, Aldermen and Commonalty from making any arrangement with the owners of the property on the north and south sides of the said Slip with respect to the space between the said properties and the said Fish Market, and the prolongation of the same, which space is by this Act to be left open.