



ANNO DECIMO

VICTORIÆ REGINÆ.

CAP. I.

AN ACT to amend an Act passed in the Ninth and Tenth Years of the Reign of her present Majesty, entitled "An Act to Regulate the Re-building of the Town of St. John's, and the Drainage and Sewerage of the same, and to Repeal certain Acts therein mentioned."

[Passed 14th January, 1847.]

WHEREAS an Act was passed in the Ninth and Tenth Years of the Reign of Her present Majesty, entitled "An Act to regulate the Re-building of the Town of Saint John's and the Drainage and Sewerage of the same, and to repeal certain Acts therein mentioned;" And Whereas it is deemed expedient to repeal certain portions of the said Act, and to substitute other provisions in lieu thereof, and otherwise to amend the same—

Preamble.

I.—*Be it therefore enacted*, by the Governor, Council and Assembly, in Legislative Session convened, that the first, second, third, seventh, tenth and fifteenth sections of the said recited Act, and also so much of the fifth section of the said recited Act as directs that buildings or erections on the North side and to the Northward of Duckworth Street shall be built of brick, stone, or other unflammable material; and so much of the twelfth section as provides for the payment of the Salary of the Supervisor therein mentioned; be and the same are hereby repealed.

Repeals 1st, 2nd, 3rd, 7th, 10th and 15th Sections, and parts of the 5th and 12th Sections of the recited Act.

II.—*And be it enacted*, That Water Street in the said Town of St. John's shall extend from the Eastern side of Quidi Vidi Firebreak, in the said recited Act mentioned, on the East, to Job's Bridge on the West, and shall be Sixty Feet in width throughout the same, except as hereinafter excepted; and that the South side line of the said Street shall be as follows: Commencing at station No. 1. on the plan of the Commissioners appointed by His Excellency the Governor, certified under the hands of the said Commissioners, and presented to the House of Assembly, and in the said recited Act mentioned, and running thence to station No. 3, on the said plan;

Water Street.

thence according to the line of street as it existed on the Eighth day of June last to the North-eastern gate post at the entrance to the premises of Messrs. Walsh & Maccassy; thence in a straight direction to a point Ten Feet South of the entrance of the lane or passage leading to the wharf of Mr. N. Gill; thence in a straight direction to a point Two Feet South of the North-west angle of the premises of the said Mr. N. Gill; thence in a straight line to the North-east angle of the new brick buildings of the Honorable Patrick Morris, near the Custom House; thence by the said South side line of street as it existed on the Eighth day of June last to the North-west angle of the premises of Messrs. Hunters & Co.; thence in a straight direction to a point Five Feet South of the North-east angle of the house lately occupied by Mr. Henry Earle; thence in a straight direction to a point Three Feet South of the North-west angle of the dwelling-house lately occupied by Messrs. J. M. Rendell & Co.; thence through a point Ten Feet South of the North-west angle of the premises of Messrs. W. & H. Thomas & Co., as nearly as may be in a straight direction to the North-east angle of the stone dwelling-house formerly occupied by Mr. R. F. Trimmingham; thence by the said South side line of street as it existed on the Eighth day of June last, to Beck's Cove; thence from a point Nine Feet South of the North-east angle of the premises lately occupied by Messrs. E. & N. Stabb, to the North-east angle of the stone building lately occupied by Messrs. Shea & Murphy; thence by the said South side line of street as it existed on the Eighth day of June last to the North-west angle of the stone premises of Messrs. James & William Stewart; thence from a point Ten Feet South of the North-east angle of the premises lately occupied by Messrs. P. Rogerson & Son, in a straight direction, to the North-west angle of the dwelling-house lately occupied by Mr. William Warren; thence by the said South side line of street as it existed on the Eighth day of June last, to the North-west angle of the brick buildings of the Honorable Patrick Morris, near the premises of Messrs. Newman & Co.; and thence to Job's Bridge, according to the line laid down on the said plan of the aforesaid Commissioners: Provided, that nothing in this section contained shall affect any building of brick or stone, erected on the South side of Water Street since the Ninth day of June last, in conformity with the terms of the said recited Act; and provided that the foundation walls of the property of Messrs. Duggan and others, opposite the premises lately occupied by Messrs. E. & N. Stabb, shall remain as on the Eighth day of June last.

III.—*And be it enacted*, That Duckworth Street in the said Town shall extend from Quidi Vidi Firebreak aforesaid on the East, to Williams's Lane on the West, and shall not be less than Sixty Feet in width throughout the same; and the South side line of the said Street shall be as follows:— From Quidi Vidi Firebreak to the North-east angle of Woodley's Lane, according to the existing South side line of the said Street; thence in a straight direction to a point Twenty Feet South of the North-west angle of the house occupied on the Eighth day of June last by Mr. Patrick McCarthy; thence in a straight direction to a point Fifteen Feet South of the North-east angle of the house occupied on the Eighth day of June last by Mr. John Quinn; thence in a straight direction to the North-east angle of the house lately occupied by Mr. John Stears, West of the Hill of Chips; thence by the existing South side line of Street to Cochrane Street; thence from a point Three Feet North of the North-east angle of the house lately occupied by Mrs. Coleman, at the corner of Cochrane Street, in a straight direction to a point on the existing South line of Street at a distance Westward from Cochrane Street of One Hundred and Fifty-five Feet; thence according to the existing South side line of street to a point Five Feet North of the house lately occupied by Jeremiah Hayes at the head of the King's Beach; thence in a straight direction to the North-east angle of Mr. Thomas Bearn's stone buildings; thence along the front of the same and in a straight line to the North-east angle of Mr. William Flinn's brick

house; thence by the existing line of street to the North-west angle of the Commercial Buildings; thence in a straight line to the North-east angle of Market Square; and thence by the existing South side line of street to Williams's Lane.

IV.—*And be it enacted*, That New Gower Street in the said Town shall extend from the site of the late Theatre to Flower Hill Firebreak; and the North side line of the said Street shall be as follows: commencing at the South-east angle of Mr. Philip Duggan's house (as the same is laid down in the plan of the said Commissioners hereinbefore mentioned); thence running in a straight line, touching the South-west angle of Stephen Ryan's house, to a point Sixty Feet beyond the boundary of Mr. James Fergus's ground; thence in a straight line to a point Northward of the North-west angle of Waldegrave Street; thence in a straight line to a point Fifty feet North of the North-west angle of Cuddihy's house, being the Western extremity of the Burnt District; and thence in a straight direction to Flower Hill Firebreak: And that the said Street shall not be less than Fifty Feet in width throughout the same: And the Street or Firebreak commonly called George Street, shall be extended from Waldegrave Street to Flower Hill Firebreak, on the West, and from Queen Street to Williams's Lane, on the East, and shall be of a width of not less than Fifty feet throughout the same, according to such lines and boundaries as shall be laid down by the Supervisor of Streets, and approved of by the Governor and Council: And in that part of the said Town lying between Williams's Lane and Flower Hill Firebreak, it shall not be lawful for any person or persons whomsoever to build or erect any house, building or erection whatsoever, on the South side and to the Southward of the said George Street above mentioned, unless the same shall be of stone, brick, or other unflammable material, and roofed or covered with unflammable material; and all houses, buildings and erections of wood, which, since the Ninth day of June last, have been, or which shall hereafter be built, on the South side and Southward of the said last mentioned Street, shall, from and after the First day of May, One Thousand Eight Hundred and Forty Nine, be and be deemed public nuisances, and shall and may be abated in the way and manner and by the means mentioned and provided in and by the eighth section of this Act in respect of the nuisances therein mentioned and referred to.

V.—*And be it enacted*, That the following Cross Streets or Firebreaks shall be of the respective widths and according to the lines and boundaries hereinafter laid down and described for the same, that is to say:—

QUIDI VIDI FIREBREAK.—The Western side of the said Firebreak shall be bounded by a straight line running from the Harbour along the foundation wall of the late Mr. James Brine's premises, and thence in a straight line to the North East corner of the Stone House in Duckworth Street near Dunscomb's Bridge; and a line parallel thereto, at Sixty feet distance, shall be the Eastern boundary.

HILL OF CHIPS FIREBREAK.—That the Firebreak at the Hill of Chips shall be bounded on the Western side by a line drawn from Water Street to Duckworth Street, parallel to and at a distance of Four feet Eastward from the Eastern foundation walls of the old Billiard Room, now belonging to Mr. Patrick Kough; and that a parallel line, at a distance of Sixty feet therefrom, shall form the Eastern side line of the said Firebreak.

KING'S BEACH FIREBREAK.—From Water Street to Duckworth Street, shall be the same as it existed on the Eighth day of June last—save and except that from the North West corner of the house of Mr. Michael Foley to a point Two feet South of the North West corner of the house lately occupied by Mr. Thomas Murray the said Firebreak shall be bounded by a straight line: then commencing on Duckworth Street at a point Three feet Eastward from the South West angle of the house lately occupied by Mr. Michael Daley, the said Firebreak shall be bounded on the Eastern

New Gower Street.

Cross Streets and Firebreaks.

Quidi Vidi Firebreak.

Hill of Chips Firebreak.

King's Beach Firebreak.

side by a straight line running to a point Thirty-three feet North of the North West angle of the house occupied by Mr. George Forward ; thence to a point Seventeen feet East of the North East angle of the King's Road in Gower Street ; thence by a straight line running to the South East angle of the Ordnance Lime-kiln ground, and thence by the Eastern boundary of the said ground to the Military Road :—and that a line parallel thereto, at a distance of Sixty feet, shall, (from Duckworth Street to the said Limekiln ground,) be the Western boundary of the said Firebreak ; and thence the Western side of the King's Road to the Military Road shall form the Western boundary line of the said Firebreak.

Prescott Street
Firebreak.

PRESCOTT STREET FIREBREAK.—That the Western boundary thereof, from Water Street to Duckworth Street, shall be the same as it existed on the Eighth day of June last, and that a space equal to the breadth of M'Larty's Lane shall be added to the width of the said Firebreak—the proprietors of ground encroached upon for this purpose occupying the said lane in lieu of the ground so encroached on. Then commencing on Duckworth Street at a point Twenty Feet to the Westward of the Eastern side line of Cantfill's Lane, and running thence in a straight direction to the North-east angle of Cantfill's Lane on Gower Street ; thence along the Eastern side line of Cantfill's Lane until it intersects the Eastern side of Prescott Street, as laid down by the Commissioners in their aforesaid plan ; and thence, by the Eastern side line of the said street as described upon the said plan—which shall be the Eastern boundary of the said Firebreak ; and that a line or lines parallel thereto, at a distance of Sixty Feet, shall be the Western boundary thereof : Provided that the Proprietors of the ground through which Prescott Street runs, from Duckworth Street Northward, shall have that part of Cantfill's Lane South of the angle near to Mr. M. Coxen's forge, towards compensation for their land encroached upon for the making of Prescott Street.

Church-Hill
Firebreak.

CHURCH HILL FIREBREAK.—On the South side of Water Street the said Firebreak shall be Eighty Feet in width from the Western side line thereof, as it existed on the Eighth day of June last. From Water Street to Gower Street the said Firebreak shall be One Hundred Feet in width from the Western side line thereof, as it existed on the Eighth day of June last ; and that from Gower Street to the rear line of the Town, the Western side line of the continuation of the said Firebreak shall be according to the line laid down and described as and for the Western side line of the same on the plan of the Commissioners presented to the House of Assembly, in the said recited Act mentioned ; and that a parallel line at the distance of Eighty Feet shall be the Eastern side line of the continuation of the said Firebreak : Provided that nothing herein contained shall be construed to prevent the erection of the proposed New Cathedral.

McBride's Cove
Firebreak.

MCBRIDE'S COVE FIREBREAK, between the Harbor and Duckworth Street, shall be as it existed on the Eighth day of June last.

Beck's Cove
Firebreak

BECK'S COVE FIREBREAK.—That the boundary lines of the said Cove and Firebreak between the Harbour and Duckworth Street shall be as they existed on the Eighth day of June last ; and that from the Northern extremity of the Eastern boundary of the said Firebreak a straight line be extended to the North-west angle of William Shea's house in Gower Street, and that a line parallel thereto, at Sixty feet distance, form the Western boundary of the continuation of the said Firebreak.

Codner's Cove
Firebreak.

CODNER'S COVE FIREBREAK.—A line drawn from the Harbour along the Eastern foundation walls of Mr. John H. Warren's late dwelling house in Water Street and the existing Western side line of Adelaide Street, to New Gower Street, shall form the Western boundary ; and that the Eastern side of Codner's Cove, and a line Sixty Feet distant from and parallel to the Western side of Adelaide Street be the Eastern boundary thereof ; and that the Western side line of the said Firebreak shall be produced until it intersects the Pennywell Road ; and that a parallel line at the distance of

10th Victoria, Cap. 1.

Sixty Feet shall form the Eastern side line thereof; and that from thence the said Firebreak shall be extended to the rear line of the Town in such direction as shall be laid down by the Supervisor of Streets and approved of by the Governor and Council.

QUEEN STREET.—That the existing Western side line of Queen Street and a line produced in continuation of the same to the angle in the Barter's Hill Road, where the said Road turns to the Westward, shall be the Western side line of the said Street; and that a line parallel thereto at a distance of Sixty Feet shall be the Eastern side line of the said Street.

Queen Street

STUART & RENNIE'S COVE.—The Eastern boundary of Messrs. Stuart & Rennie's premises shall be the Western boundary of the said Cove; and a line parallel thereto, at sixty feet distance, shall be the Eastern boundary thereof.

Stuart & Rennie's Cove.

FLOWER HILL FIREBREAK.—Commencing at the South-east angle of the dwelling-house of Messrs. Newman & Co., in the occupancy of Mr. Thomas Morry; thence bounded by a straight line running to the Northern angle of Mr. Monier Hutchings' house, at present occupied by Mr. Peter McBride; thence by a straight line to the Lazy Bank Road, touching the Northern angle of the dwelling-house of the late Mr. Peter LeMessurier, and thence to the rear line of the Town in such direction as shall be laid down by the Supervisor of Streets, and approved of by the Governor and Council; and that a line or lines parallel thereto, at a distance of Sixty Feet, shall be the Eastern boundary of the said Firebreak.

Flower Hill Firebreak.

GAS WORKS FIREBREAK.—The Eastern line of the Firebreak, as laid down and described on the said plan of the Commissioners, shall be the Eastern boundary of the said Firebreak; and a line parallel thereto, at Sixty Feet distance, shall be the Western boundary thereof.

Gas Works Firebreak.

RIVER HEAD FIREBREAK.—The Eastern line, as laid down and described on the aforesaid plan, shall be the Eastern boundary of the said Firebreak; and a line parallel thereto, at Sixty Feet distance, shall be the Western boundary thereof.

River Head Firebreak.

GREGORY'S LANE.—That the said Lane shall be widened by drawing a line from a point Fourteen Feet West of the Bond Stone in Duckworth Street, to a point Three Feet West of the Western boundary of the said Lane in Water Street; and a parallel line Twenty Feet distant from the same shall be the Eastern boundary of the said Lane: Provided that the said Lane shall not be opened to the width aforesaid if the compensation to be paid therefor shall exceed One Hundred Pounds.

Gregory's Lane.

VI.—*And be it enacted,* That for the purpose of marking out and making plainly known the boundary lines of the several Streets and Firebreaks established by this Act, the said Supervisor of Streets shall cause Bond-Stones and Stakes to be put down in such and so many places as he shall deem necessary for the purpose aforesaid; and every person who shall wilfully destroy or remove, or cause to be destroyed or removed, any such Bond-stone or Stake, shall, on conviction thereof in a summary way before any one or more Stipendiary Justice or Justices of the Peace, forfeit and pay to Her Majesty a fine not exceeding Five Pounds, together with Costs; and in default of payment thereof shall be committed to Gaol by such Justice or Justices for any period not exceeding Thirty Days.

Boundary Stones to be put down.

VII.—*And Whereas* by reason of the expense of making compensation in such behalf, it is inexpedient that the following Firebreaks should at present be opened beyond the limits hereinafter mentioned, but it is expedient that no building should be erected on the sides of such Firebreaks, and on the sides of the following Streets, within the distances from the centres of such Firebreaks and Streets respectively hereinafter mentioned, beyond the following limits: Be it therefore enacted, that it shall not be

Firebreaks not to be built upon.

lawful for any person or persons to build or put up any building or erection whatsoever within Forty Feet of the centre of Church-hill Firebreak to the Northward of Duckworth Street, (except the proposed New Cathedral as before excepted;) within Thirty Feet of the centre of Queen Street, Codner's Cove and Flower Hill Firebreaks, respectively, to the Northward of New Gower Street; and within Thirty Feet of the centres of the Gas Works and River Head Firebreaks to the Northward of Water Street, and within Thirty Feet of the centre of the Street leading from the Ordnance Yard to Queen's Bridge.

Penalty for Building on Streets and Firebreaks.

VIII.—And for the more effectual prevention of Nuisances by the erection of Houses and Buildings within the limits by this Act prescribed for any Road, Street, Firebreak or Cove,—Be it enacted, that it shall not be lawful for any person or persons whomsoever to build, construct or erect, or to excavate or otherwise proceed in the commencement of any building or erection within the lines and boundaries by this Act defined and prescribed as and for the width of any Street, Firebreak or Cove, whether the parties or party owning or claiming an interest in the ground embraced within the limits of any such Street, Firebreak or Cove, shall or shall not have been paid or tendered compensation for the same, anything in the said recited Act to the contrary notwithstanding. And all and every such buildings and erections which from and after the passing of this Act shall be so erected or constructed, or in any manner commenced to be erected or constructed, shall be and be deemed to be public nuisances, and shall be abated accordingly by order of two or more Stipendiary Justices of the Peace for the Central District, who shall, upon complaint of the Supervisor of Streets aforesaid, after hearing the party complained of, or in default of his appearance, on being summoned for that purpose, if such nuisance be proved, make an order for the abatement thereof, and shall furnish such assistance of Constables or others as may be necessary for that purpose; and every person wilfully erecting or attempting to erect any such buildings or erections as last aforesaid, contrary to the provisions of this Act, shall, on proof thereof in a summary manner before any two or more Stipendiary Justices of the Peace for the Central District, forfeit and pay to our Lady the Queen a fine not exceeding Five Pounds, at the discretion of such Justices, which shall be levied by Warrant of Distress under the hands and seals of such Justices, upon the Goods and Chattels of the offender.

Mode of compensating parties for ground taken.

IX.—And whereas it is just and proper that such persons as may have sustained or may sustain any loss of property by reason of the same being taken into the Public Streets, Firebreaks and Coves, in this and the said recited Act mentioned, should be remunerated for the same: Be it therefore enacted, That it shall be lawful for all and every of the proprietors of such portions of ground as have been or may be necessary to be taken for the purpose of making and widening the said Streets, Firebreaks and Coves under the provisions of this and the said recited Act, or the agents of such proprietors and usually acting in their behalf, to meet at such time and place as the Governor or Acting Governor of Newfoundland may for such purpose publicly notify and appoint; and such proprietors or their agents, or the majority of them who shall then and there assemble, shall choose two persons, and the Governor or Acting Governor and Council shall appoint two other persons, and such four persons so chosen and appointed, or the majority of them, shall choose a fifth person; or in the event of such four persons or a majority of them not being enabled to agree in the choice of such fifth person, then it shall be lawful for the Governor or Acting Governor and Council to appoint such fifth person. And the said five persons so chosen and appointed, after taking the oath in the form in the Schedule to this Act annexed, before a Stipendiary Justice of the Peace, shall be Appraisers and shall forthwith proceed to appraise the value of all and every such portions of ground as have been or may be necessary to be taken for the purposes aforesaid, and of the estate or interest of all parties having

ing a beneficial interest in the same, and also to estimate the damage which may be occasioned to any property by the making, widening, or altering of any Street, Cove or Firebreak, always taking into account the additional value derived to the several proprietors and occupants from the convenience and security afforded by the widening of the said Streets; and the said appraised value shall be deemed and considered as the true value of the said portions of ground, and of the beneficial interest of parties having any estate or interest therein, and shall be paid in the manner in and by the said recited Act directed and appointed; and compensation for all such damage to property so to be estimated as aforesaid, shall be paid in the manner in and by the said recited Act directed with reference to the value of ground to be taken as aforesaid. Provided always, that if the said Appraisers shall be of opinion that any proprietors of ground so required for the Streets, Firebreaks, and Coves as aforesaid, or any of them, may be indemnified at a less expense by having an equal portion of ground assigned to them from any ground adjoining, and that such adjoining ground may be taken without material injury to the proprietor or proprietors thereof, it shall be lawful and the said Appraisers are required to mark off and in like manner to appraise so much of the said adjoining ground as they may think sufficient to replace the ground required for the said Streets, Firebreaks and Coves; and the same so marked off shall belong to the first mentioned proprietors, and be in lieu of all and every indemnity whatsoever, and the appraised value of the same shall be paid in manner above mentioned, and shall be as a full satisfaction and release of the same and of all right and title thereto. Provided, that if the land so to be given, shall not be deemed an equivalent for the land dedicated to the Street or Firebreak, it shall be lawful to pay the said proprietor such sum as may be, with the land so to be given, a full satisfaction for the land so dedicated.

X.—*And be it enacted*, That in the event of the death, resignation, or absence from the Colony, of any one or more of the said five Appraisers, the place of every Appraiser so dying, resigning, or being absent from the Colony, shall be supplied by a person to be chosen or appointed (as the case may be) in like manner as the person so having died, resigned or being absent from the Colony, shall have been chosen or appointed.

Vacancies in Appraisers, how filled up.

XI.—*And be it enacted*, That the said Appraisers, after being sworn, and having entered on the performance of their duties, shall have power to summon and require the attendance before them of all parties interested in the property to be appraised by them, or the agents of such parties respectively, and also all necessary Witnesses or other persons; and to require the production before them of all Deeds and Papers requisite to establish the title or interest of any party claiming compensation in manner hereinbefore mentioned; and shall have power to examine upon oath (to be administered by any one of such Appraisers) all such parties, or their agents, and all such witnesses or other persons, touching the matters to be enquired into by such Appraisers; and the meetings of such Appraisers shall be holden at the Court House in the said Town at such times as may not interfere with the sittings of the Courts; and their proceedings shall at all times be open to the Public; and the award or decision of the majority of such Appraisers shall be final and binding on all parties. Provided always, that no person or persons shall be entitled to receive any compensation whatsoever for the abatement or removal of any building erected since the Ninth day of June last, within the limits of or fronting on the line of any Street or Firebreak by this or the said recited Act established, save and except that such sum as may be adequate to defray the expense of the removal of the house lately built in New Gower Street by Lawrence Gearan, shall be expended under the direction of the Supervisor of Streets in the removal of the same.

Appraisers to examine witnesses and others.

XII.—*And be it enacted*, That in the widening of any of the Streets or Firebreaks established by this Act it shall not be compulsory to remove

Not compulsory to
remove buildings
erected prior to
5th June.
Proviso.

houses or buildings erected prior to the Ninth day of June last, without the previous approval of the Governor and Council, and unless such removal can be effected without involving a heavy expense: Provided that nothing herein contained shall affect the buildings excepted in and by the Thirty-first Section of the said recited Act.

Allowance to
Appraisers.

XIII.—*And be it enacted*, That the said Appraisers shall be paid in full satisfaction and discharge for their services, and of all expenses and contingencies whatsoever incurred by them in carrying into effect the provisions of this Act, a sum not exceeding Eight Hundred Pounds, which said Sum shall be paid in discharge of such Warrant or Warrants as shall be issued by the Governor or Acting Governor on the Colonial Treasurer, at such times and in such proportions as the Governor or Acting Governor shall think fit.

Interference with
Ordnance Premises

XIV.—*And be it enacted*, That in running out the lines of the Streets and Firebreaks by this and the said recited Act established, it shall not be lawful to interfere with the boundaries of or the communications leading to any Ordnance premises, without the permission in writing of the Master General and Board of Ordnance first had for that purpose; and all expenses incurred by such interference shall (if required by the Master General and Board of Ordnance) be discharged out of the funds provided for compensating parties whose ground may be taken for the widening of Streets and Firebreaks.

Compensation for
interfering with
line of fire from
Fort William, how
to be ascertained.

XV.—*And be it enacted*, That the compensation to be paid or tendered by the Officers of Her Majesty's Board of Ordnance to parties whose rights may be interfered with by the prevention of erections which may interfere with the Line of Fire from Fort William and Fort George towards the Harbour, shall be ascertained (instead of by the mode in and by the said recited Act provided) by three Arbitrators, of whom one shall be appointed by the respective Officers of the Board of Ordnance,—one by the proprietor, tenant, or other party having a beneficial interest in the land or buildings interfered with, and a third shall be chosen by the Arbitrators so appointed, or (in the event of such Arbitrators not being able to agree in the choice of a third Arbitrator) shall be appointed by the Stipendiary Magistrates for the District of St. John's; and the award of any two of such three Arbitrators shall be final and binding: Provided always, that if the said respective Officers shall not, within Fourteen Days after being thereto required in writing by any party interested in that behalf, appoint an Arbitrator to meet the Arbitrator of such party as aforesaid, it shall be lawful for such party to proceed in the erection and completion of any building or buildings in like manner as he might have done if this and the said recited Act had not been made.

Interest on
Treasury Notes.

XVI.—*And be it enacted*, That the Interest payable upon sums for which Treasury Notes are directed to be issued in compliance with the provisions of the Eleventh Section of the said recited Act, shall be payable half-yearly, at the Office of the Colonial Treasurer, on production of such Notes before him, on the last days of June and December in each year, and such Notes hereafter issued shall be according to the form in the Schedule to this Act annexed.

No new Private
Road to be less
than Twenty feet
wide.

XVII.—*And be it enacted*, That no new Road, Street, or Lane, shall be opened or made through the ground of private parties, within the limits of the said Town, and upon which houses shall be proposed to be erected, of a less width than Twenty Feet; and all houses and buildings hereafter to be built, whether on the site of any former building or not, and fronting upon any Lane, or any such private Road, Street or Lane, now or hereafter to be opened Northward of Duckworth Street and New Gower Street within the said Town, shall be at a distance of not less than Ten Feet from the centre of such Lane, Street, or Road; and all persons before laying down the sills or commencing the erection of houses or buildings

Per centage on duties to be levied for defraying extra compensation.

XXII.—*And be it enacted*, That to provide means for the payment of such compensation as may be awarded under this and the said recited Act beyond the sum of Twenty Thousand Pounds therein mentioned, and for the discharge of the salary of the Supervisor of Streets, and also for defraying the expense of levelling Water and Duckworth Streets, and the incidental expenses of carrying this and the said recited Act into operation, there shall be raised, levied, collected and paid to her Majesty, her heirs and successors, upon the Importation into the Port of St. John's of the several articles of Wines, Spirits, Goods, Wares and Merchandize, already subject to duty under and by virtue of an Act passed in the Ninth Year of the Reign of her present Majesty, entitled "An Act for Granting to Her Majesty certain Duties on Goods, Wares, and Merchandize, imported into this Colony and its Dependencies," over and above and in addition to the duties thereby imposed, a further and additional duty at the rate of and equal to Ten Pounds for and upon every One Hundred Pounds of the duties levied and collected under the said last mentioned Act; which further and additional duty or per centage shall be raised, levied, collected and paid in like manner and under and subject to the like regulations and restrictions as are contained and set forth, or referred to in the said last mentioned Act, concerning the duties thereby imposed, and that as fully and effectually to all intents and purposes as if the several clauses and provisions of the said Act were herein enacted: And the said additional duty or per centage shall (during the period herein after limited for the collection of the same) be levied, collected and paid upon and in addition to the duties imposed or to be imposed by any Act or Acts of the Legislature of this Colony, now or hereafter to be in force, upon the Importation into the said port of St. John's of the several articles subject to duty by the said last-mentioned Act, or any such future Act.

Treasury Notes to be issued for extra compensation.

XXIII.—*And be it enacted*, That for the amount of compensation required to be paid under the provisions of this and the said recited Act, beyond the sum of Twenty Thousand Pounds therein mentioned, the Treasurer of the Colony shall issue Treasury Notes in the form prescribed in the Schedule to this Act annexed; which Notes shall be paid and discharged at the times and in the manner prescribed in the said recited Act with respect to the said sum of Twenty Thousand Pounds, from and out of the monies to be raised in the manner provided by the preceding Section, which monies shall be paid over by the Collector of Her Majesty's Customs to the Treasurer of the Colony, for that purpose.

Limitation of extra duty.

XXIV.—*And be it enacted*, That the additional duty or per centage hereinbefore imposed, shall cease and determine from and after the payment and discharge of the amount required for compensation and expenses aforesaid, beyond the sum of Twenty Thousand Pounds in the said recited Act mentioned.

SCHEDULE.

Schedule.

I, A. B., do swear that I will faithfully and impartially, to the best of my skill and judgment, perform the duties of an Appraiser, in compliance with the provisions of an Act entitled "An Act to amend an Act passed in the Ninth and Tenth Years of the Reign of Her present Majesty, entitled 'An Act to regulate the Re-building of the Town of St. John's, and the Drainage and Sewerage of the same, and to Repeal certain Acts therein mentioned.'"

FORM OF TREASURY NOTE.

No.

*COLONY OF NEWFOUNDLAND.*Form of Treasury
Note.

By an Act of the Legislature of this Colony, the Bearer hereof is entitled to receive at the office of the Colonial Treasurer in
 Years from the date hereof the Sum of _____ Pounds,
 and also Interest on the same at the rate of Five Pounds per Centum per
 Annum yearly, on the last days of June and December in each Year, on
 the production of this Note at the office of the said Colonial Treasurer.

Dated at St. John's, Newfoundland, the _____ day of _____ A.D. 184
 P. M., Colonial Treasurer.

J. C., Colonial Secretary.