

Laws of Her Majesty's Province of Newfoundland, passed in the year 1851.

14 Victoria – Chapter 6

An Act to extend the time allowed by the Saint John's Rebuilding Acts for the removal of Wooden Buildings in certain parts of the said Town, and for other purposes. (Passed 31st May, 1851.)

Whereas it is expedient to extend the time at present allowed by law for the removal of Wooden Buildings in certain parts of the Town of Saint John's:

Be it therefore enacted, by the Governor, Council and Assembly, in Legislative Session convened, That in such of the Streets of the Town of Saint John's, upon which, by any Act or Acts of this Colony passed for regulating the Re-building of the said Town, Buildings or Erections of Brick, Stone, or other Uninflammable Materials, are required to be erected, all Buildings or Erections of Wood that now are upon the said Streets, and which do not encroach upon the Lines laid down for such Streets under the said Acts, may and are hereby allowed to remain and be continued until the First day of October, One Thousand Eight Hundred and Fifty-one, any Act to the contrary notwithstanding; and that from and after the said period, all such Buildings and Erections shall be deemed Public Nuisances, and shall be abated in manner hereinafter provided.

II. And be it enacted, That all Buildings and Erections of Wood, which shall remain on any of the said Streets or Places where Buildings or Erections of Uninflammable Materials are required, from and after the said First day of October in the year aforesaid, may be abated by order of two or more Stipendiary Justices of the Peace for the Central District, who shall, upon complaint of the Supervisor of Streets, or of any other Person authorized to execute the duties of that office, after hearing the Party or Parties complained of, or in default of his or their appearance upon being summoned for that purpose, if the Nuisance be proved, make an order for the abatement thereof accordingly, and shall furnish such assistance of Constables or others as may be necessary, to effect such abatement as aforesaid.

III. And be it enacted, That from and after the passing of this Act it shall not be lawful for any Person or Persons whomsoever to build or erect any House, Building or Erection whatsoever, unless the same shall be of Stone, Brick or other Uninflammable Material, to the Southward of a line drawn parallel to, and Two Hundred Feet to the Northward of the North Side of that part of Water Street which lies between Flower-hill Fire-break and Job's Bridge: Provided nevertheless, that nothing here in contained shall operate to prevent any Person now occupying, or that may hereafter occupy, any Fishing-room, situate to the Westward of Newman and Company's Premises, from building of Wood, if he shall see fit, any House, Store, Stage, Flake, or other Erection, to be used by him or his servants exclusively for the purpose of carrying on the Fishery upon such Fishing-room.

IV. And be it further enacted, That nothing in this Act shall apply to, or be construed to apply to, any Shed or other Temporary Erection now standing on any Property belonging to the Crown, and situate in the Town of Saint John's; and which last mentioned Sheds, or other temporary Erections, it shall and may be lawful for any two or more Stipendiary Justices of the Peace for the Central District, at any time

to cause to be removed in the manner provided by the Second Section of this Act for the removal of other Buildings and Erections of Wood.

V. And be it enacted, That nothing contained in any Act of the Local Legislature shall be construed to prevent persons from selling Fish in any of the Coves or Public Landing Places on the South side of Water-street, in Saint John's, free of any rate, subject to such Rules and Regulations as may be prescribed by the Governor in Council; and Goods, Wares and Merchandize, subject to such Rates, Rules and Regulations, as may be further prescribed as aforesaid: Provided that the said Rates, Rules and Regulations shall be Published in the Royal Gazette of this Island; and any Person infringing the same, or any one thereof, shall be subject to a Penalty not exceeding Forty Shillings for each offence, to be sued for by any Person whomsoever before any of Her Majesty's Stipendiary Justices of the Peace for the Central District, and levied by Warrant of Distress upon the Goods and Chattels of the Offender; One-half of such Fine to be paid to the Person informing, and prosecuting such Offender, and the other Half to the Colonial Treasurer for the benefit of the Colony.