

Sec.
1 Justices authorized to establish Ferry; rents, &c., into what fund paid.

Sec.
2 Rents, &c. to whom paid; securities, &c. in whose name taken.

Passed 21st April, 1869.

WHEREAS by an Act passed in the second year of the Reign of His late Majesty King William the Fourth, intituled *An Act to establish and regulate a Ferry and Public Landing at Indian Town, in the County of Saint John*, the Justices of the City and County of Saint John were authorized and empowered to establish a Ferry from that place to the opposite shore, near to Lovett's Point, and to fix the rates and fares to be taken at such Ferry; and whereas, owing to increase of population and traffic in that part of the County, it has become desirable that greater accommodation should be afforded the public for crossing the River Saint John in the vicinity above mentioned, and for this purpose that the rights, privileges and powers of the said Justices, in relation to the said Ferry, should be enlarged and extended;—

Be it therefore enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. The Justices of the City and County of Saint John aforesaid, in addition to the powers conferred upon them by the said in part recited Act, shall also have the sole, full and whole power and authority of establishing, ordering and regulating all or any Ferries or Ferry between the eastern and western sides of that part of the River Saint John lying between the Parishes of Portland and Lancaster, extending on the Portland side from Robertson's Point to Brown's Mills, so called, and on the Lancaster side from Holt's Mills to Union Point, so called, with full and sole power to let, lease, license or dispose of the same to such person or persons, or body corporate, in such manner, on such terms, and for such periods of time, as to the said Justices in General Sessions, or in Special Sessions for that purpose duly summoned or appointed, may seem expedient, and to make and enter into such conditions, covenants and agreements with the Lessee or Lessees as may be deemed necessary and advisable; and the rents, issues, and profits thereof, and all fees, ferriages and other advantages arising and accruing from any Ferry or Ferries now or hereafter to be established within the limits aforesaid by the said Justices, to have, receive, hold and enjoy to and for the use of the contingencies of the said City and County, to be paid into the contingent fund, and subject to the order of the Sessions of the said City and County, in like manner as other moneys raised for such contingencies.

2. The rents, issues and profits, fees or ferriages, arising and accruing as aforesaid, shall be reserved and made payable in any lease, license or letting thereof, to the Treasurer of the said City and County for the time being; and any bonds, notes or other securities for money taken by the said Justices for securing the payment thereof, or for the due performance of the terms and conditions of any such lease, license, or letting, shall be made to and in the name of such County Treasurer, as such; and any proceedings by distress or otherwise necessary and ordered by the said Sessions, General or Special, for the recovery of any moneys so due and payable, or for the performance of the conditions of any such lease, letting or license as aforesaid, shall and may be had and taken in the name of "The Treasurer of the City and County of Saint John," and sued and prosecuted in any Court of competent jurisdiction; and no suit or proceeding so begun, had, or taken, shall abate or be discontinued by

reason of the death or removal from office of the person holding the office of County Treasurer, but shall and may continue, survive and be carried on by his successor in the name aforesaid, as if no such death or removal had taken place.

CAP. LXIV.

An Act to authorize the Commissioners of Sewerage and Water Supply for the City of Saint John on the eastern side of the Harbour, and the Parish of Portland in the County of Saint John, to reimburse certain persons heretofore assessed for a Sewer on a part of King Street in the City of Saint John.

Sec.
1 Amounts to be paid by Commissioners to certain persons.
2 Amount to be paid Mayor, &c.;

Sec.
Chamberlain to pay money into general fund.
3 Amount paid, to what service charged; proviso.

Passed 21st April, 1869.

WHEREAS it is equitable to reimburse certain persons a part of the amounts assessed on them for a Brick Sewer heretofore laid down at the eastern end of King Street in the City of Saint John on the eastern side of the Harbour, in such sums hereinafter mentioned, as said assessments would exceed the cost of a Wooden Sewer, and also to repay the City Corporation a sum paid on contract for said Sewer;

Be it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. The Commissioners of Sewerage and Water Supply for the City of Saint John on the eastern side of the Harbour, and the Parish of Portland in the County of Saint John, are hereby authorized and required to pay to the following persons and estates the respective amounts herein set opposite the names of such persons or estates, in relief of an assessment for a Brick Sewer in King Street in the City of Saint John on the eastern side of the Harbour, made upon the said persons and estates by the Common Council of the City of Saint John, under and by virtue of Chapter 72, Title x, of Part I of the Revised Statutes, which Chapter was subsequently repealed by an Act of the General Assembly of this Province made and passed in the twenty eighth year of the Reign of Her present Majesty, intituled *An Act to amend the Law relating to Sewerage in the City of Saint John on the eastern side of the Harbour*; that is to say—

To the Trustees and Executors of the estate of the late Benjamin Smith, deceased, the sum of nineteen dollars:

To Samuel P. Osgood the sum of thirty three dollars:

To the Administratrix of the estate of the late Robertson Bayard, deceased, the sum of seventeen dollars:

To Archibald Totten the sum of thirty three dollars:

To Charles Patton the sum of forty eight dollars:

To Charles N. Skinner the sum of seventeen dollars:

To the Executors of the estate of the late John Ansley, deceased, the sum of nineteen dollars:

To James J. Christie the sum of thirty dollars:

To Henry Robertson the sum of thirty eight dollars:

To Margaret Hutchings the sum of seventeen dollars:

To Samuel Bustin, as Agent of the Heirs of the late John Bustin, deceased, the sum of seventeen dollars:

To Thomas Bustin, Agent for Benjamin Bustin, the sum of seventeen dollars:

To Samuel Bustin the sum of thirty three dollars.

2. The said Commissioners of Sewerage and Water Supply are also hereby authorized and required to pay to the Mayor, Aldermen and Commonalty of the City of Saint