

whatsoever within the said Town of Portland, and extending to low water mark within the limits thereof, which have not heretofore been granted by Her Majesty or Her Royal Predecessors to any person or body corporate, or reserved by the Crown for any special purpose, whether now vested in the Justices of the Peace for the City and County of Saint John for any local or municipal purposes, or for the use of Schools, or otherwise ungranted, common, and not held by any person or persons having lawful title thereto, are hereby vested in the said Town of Portland, their successors and assigns, for the use of the inhabitants thereof, in as full and ample a manner as if the same had been conveyed by grant from the Crown; and the Town Council shall have the charge, care, control, management and disposal of all such lands and property; but nothing herein contained shall extend or be construed to extend to any lands reserved as aforesaid, or held by the Imperial Government or the Dominion of Canada, for purposes of military defence or for any other purposes whatsoever within the limits of the said Town.

INDIANTOWN FERRIES.

73. The Town Council of the said Town of Portland shall from henceforth 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 said Town of Portland and the Parish of 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, licence 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 Town Council 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 also to fix the tolls, rates and fares to be taken at such ferry or ferries, and to make and ordain rules and regulations for keeping the landings upon each shore clear from rafts and other obstructions of every nature and kind whatsoever, and to fix penalties for the breach of such rules and regulations, not exceeding twenty dollars for any one offence, to be recovered on the oath of one or more credible witness or witnesses at the Police Court in the said Town; provided that nothing herein contained shall conflict with, invalidate or impair any lease or licence heretofore made or granted by the Justices of the Peace for the City and County of Saint John to any person or body corporate whatsoever, in respect of any ferries aforesaid, except that the said Town Council shall from henceforth represent the said Justices and Sessions of the said City and County in respect of such lease or licence, and all rules and regulations made or to be made, and other matters connected therewith; and provided also, that all rules and regulations already made by the said Sessions concerning the said ferries shall continue in force until altered by the said Town Council, as hereinbefore provided.

74. The rents, issues and profits, fees or ferriages arising and accruing as aforesaid shall, from and after the passing of this Act, be reserved and made payable in any lease, licence or letting thereof, to the said Town of Portland, and any bonds, notes or other securities for money taken by the said Town Council for securing the payment thereof, or for the due performance of the terms and conditions of any such lease, licence, or letting, shall be made to and in the name of the said Town; and any proceeding by distress or otherwise for the recovery of any moneys so due and payable, or for the performance of the conditions of any such lease, letting or licence as aforesaid, shall and may be had and taken in the name of the said Town, and sued and prosecuted in any Court of competent jurisdiction; and all rents reserved or made payable to the Treasurer of the City and County of Saint John by the terms of any lease or licence heretofore made, shall, notwithstanding such provision, be from henceforth as aforesaid payable to and recoverable by the said Town of Portland, as fully and effectually as if the said lease

or licence were made and executed under the corporate seal of the said Town, and the said rents therein reserved and made payable to the said Town; and all such rents, issues, and profits, shall be received by the Treasurer of the said Town, one half to the use thereof, and the remaining half to be by him paid over to the Treasurer of the City and County of Saint John, and by him applied towards the payment of the share of the Parish of Lancaster aforesaid, in the contingent or other expenses of the said City and County.

INDIANTOWN HARBOUR.

75. The said Town Council shall from henceforth have the sole and exclusive right to make and ordain rules and regulations and orders, with penalties for the breach of the same, by fine not to exceed twenty dollars for any one offence, in order to the preservation of the free and unobstructed use of that part of the River Saint John in front of Indiantown, (so called), lying between lines extended due west across the said River from Marble Point (so called) and Rankin's Mills; provided that all such rules, regulations and orders heretofore made by the General Sessions of the Peace for the City and County of Saint John, or any Special Sessions, shall continue in force until altered by the said Town Council, as provided by the terms of this Act; and the said Town Council may enforce all such rules, regulations and orders as last mentioned; and all fines, penalties and forfeitures recoverable in respect of any of the said rules, regulations and orders made by the said Town Council, or by the said Sessions, and all charges for mooring or wharfage, imposed thereby, may be sued for and recovered in the name of the Harbour Master or Harbour Masters of the said district, or of either of them, if more than one shall be appointed, and shall by him or them be accounted for and paid over to the Treasurer to the use of the said Town.

76. The Town Council shall, as hereinbefore provided in the case of other officers within the said Town, nominate and appoint, displace and remove one or more suitable person or persons to act as Harbour Master or Harbour Masters for the part of the River Saint John aforesaid, whose duty it shall be to enforce the provisions of this Act, and of all rules, regulations and orders aforesaid, and to regulate the coming to, and assign proper berths or mooring places of and for steamers, woodboats and other crafts and vessels, as well as such rafts as may come to in the said River, within the space hereinbefore described.

77. The Town Council shall also regulate the amount and charge for mooring and wharfage within the said space or district, and the amount of salary or compensation of the Harbour Master or Masters so appointed as aforesaid, to be paid from the general revenues of the said Town; provided that such salary or compensation shall not exceed the sum of four hundred dollars to any such Harbour Master in any one year.

INDIANTOWN SLIP AND LANDINGS.

78. The public slip and landings at Indiantown, in the said Town of Portland, and all landings and premises whatsoever heretofore vested in the Justices for the City and County of Saint John, by Act of Assembly made and passed in the twenty eighth year of the Reign of Her present Majesty, intituled *An Act to enlarge and improve the Landings at Indiantown, in the Parish of Portland, and for other purposes*, shall be and are hereby vested in the said Town of Portland for the purposes of the said Act, and for none other whatsoever; and the said Town Council may hereafter from time to time make rules and regulations in respect thereof, and may at any time by themselves, their agents, officers, or servants, take down and remove, as common nuisances, all buildings or parts of buildings, erections or improvements of any description whatever, on the said lands and premises, slips or landings, without any suit or proceeding at law for that purpose, and without allowing compensation therefor; provided that nothing herein contained shall in any manner interfere with the completion of the duties of the several Commissioners appointed under the said Act, as provided therein; and provided also, that the assessment provided and directed in res-