

western side of the Harbour of Saint John, ranging along the water front and extending eastwardly from the market place, in Guy's Ward, to the neck of land known as "Fort Frederick," and extending from high water mark fifty feet on the common ground, and from high to low water mark, should be laid out in convenient lots and not appropriated to any use whatsoever other than for wharves and storehouses to be erected and built thereon, and which, when built, should ever continue and be for the sole use and purpose of landing, storing and safe keeping of lumber, cured fish, grain, and other goods, and for no other use or purpose whatsoever; and that in all grants and conveyances of such lands, there should be an express condition that the grantee or lessee should, within a limited time, erect wharves and storehouses for the purposes aforesaid, and failing so to do, the grant should become forfeit, and the Mayor, Aldermen and Commonalty should re-enter for such forfeiture; and whereas it is no longer necessary that such restrictions should continue; but it is, on the contrary, desirable for the public benefit, advantage, and accommodation, that the said recited provisions and restrictions should be removed and repealed;—

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

1. Notwithstanding any thing contained in the Charter of the City of Saint John, it shall and may be lawful for the Mayor, Aldermen and Commonalty of the City of Saint John, to have and hold that portion of the Common Lands on the western side of the Harbour of Saint John, ranging along the water front and known as water lots, extending from the market place in Guy's Ward, eastwardly, to the neck and point of land known as "Fort Frederick," freed and absolutely relieved and discharged from the proviso, restriction and requirement in the said Charter contained, that the same lots should not be appropriated or used for any purpose other than for wharves or storehouses; and also to grant, lease and convey the said lots, and any of them, absolutely freed and discharged from every such restriction and proviso; and the said Mayor, Aldermen and Commonalty of the City of Saint John shall have, hold and enjoy the said water lots, and every of them, to themselves, their successors and assigns, in as full, ample and beneficial a manner, to all intents and purposes, as other the common lands on the western side of the Harbour, and as if the restrictions and provisions hereinbefore recited relating thereto had never been made, appointed, or ordained.

2. So much and such parts of the Charter of the City of Saint John, and of the Acts of Assembly of this Province relating to the said Charter, as may be inconsistent with this Act, are hereby repealed.

CAP. XXXIII.

An Act to regulate the storage of Petroleum and Burning Fluid within the limits of the City of Saint John, and of the Parish of Portland.

Sec.	Sec.
1 Quantity to be stored in any one building.	4 Building to be provided for storage.
2 Premises where oil is stored may be examined.	5 When persons shall be liable for penalty. If building not provided by Mayor, &c. by certain time, who may provide.
3 Penalty for violation of Act.	

Passed 17th May 1871.

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

1. That no person shall have, keep, or sell, in any place or building within the limits of the City of Saint John, or within the limits of the Parish of Portland, any crude or

refined petroleum, earth or rock oil, benzole, benzine, naphtha, kerosene, coal oil, or burning fluid, in any larger quantity than two hundred gallons in the aggregate, to be contained in not more than five barrels, or other vessels, except in such building as may be hereinafter provided.

2. That it shall be the duty of the Chief Engineer of the Fire Department of the City of Saint John, and one or more members of the Fire Committee of the said City, from time to time to examine all premises where all or any of the said articles mentioned in the first Section hereof are kept, stored, or sold, so as to insure a strict compliance with this Act; and they and each and every of them shall have the right to enter all buildings and premises, on lawful days and during reasonable hours, for the purpose of examination and inspection.

3. That if any person or persons shall violate this Act, it shall be the duty of the said Chief Engineer, in the name of the Mayor of the said City for the time being, to prosecute all such offenders before the Police Magistrate of the said City of Saint John, or in the name of the Mayor as Chairman of the Sessions of the City and County of Saint John, before the Police Magistrate of the said Parish of Portland; and every such offender shall, on summary conviction, forfeit and pay a fine not exceeding the sum of one hundred dollars, or be liable to an imprisonment not exceeding three months for each and every offence, to be prosecuted, recovered, and enforced, as provided for by any Law relating to summary proceedings and convictions before any such Police Magistrate.

4. That to afford parties an opportunity of storing all or any of such articles as are mentioned in the first Section hereof, it is desirable that facilities be afforded; be it therefore further enacted—That a piece of ground, of suitable dimensions, may be selected by the Common Council of the said City within thirty days after the passing of this Act, and that the Mayor of the said City for the time being be authorized and empowered to lease the same, in the usual manner, to some responsible person or persons who will undertake to erect thereon a suitable building, with raised sills or other contrivances, so as effectually to prevent the overflow of such articles beyond the said premises where the same are stored and kept; that none of such articles shall be stored or kept above the ground-floor of any such building, and that such ground-floor be made of stone, iron, or earth, and that such building be not connected with any other building by drains or sewers of any kind, and that such building be regulated by rules and regulations to be made by the Common Council.

5. And be it further enacted, that the penalties of this Act shall come into operation as soon as such suitable building shall have been provided; and that in the event of the said Common Council not selecting a site as aforesaid, within thirty days after the passing of this Act, or not leasing a suitable piece of ground as hereinbefore provided within six months after the passing of this Act, it shall be lawful for any person or persons, on his or their own private account, to build and erect a suitable building as hereinbefore mentioned, and in such building the articles mentioned in the first Section may be stored and kept, provided that such building be suitable and built to the satisfaction of the Common Council, and provided further, that such person or persons so erecting such building be allowed to charge no greater rate of storage than the sum of ten cents per barrel, of not more than forty gallons, per month, for the storage of each and every barrel so placed in such building.