

authorities of the President and Directors elected in the manner in the said Chapter forty, twenty eighth Victoria, provided, with power to make such rules and bye-laws as the said proprietors incorporated under the said Act could under the fourth Section thereof make;—

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

That the Mayor of the Town of Saint Stephen for the time being, from and after the passing of this Act, shall be *ex officio* President of the said Corporation 'Lower District of Saint Stephen;' and the Councillors of the said Town for the time being shall hereafter be *ex officio* Directors of the said Corporation; and such President and Directors shall have the like rights, powers and authorities as the President and Directors of the said 'Lower District of Saint Stephen,' or either of them, had under the said Chapter forty, twenty eighth Victoria, together with the power of making rules, regulations, and bye-laws, which the proprietors of land incorporated under the said Act had by virtue of the provisions of the fourth Section thereof.

CAP. LXXX.

An Act to provide for the widening of a portion of Main Street in the Town of Portland.

Sec.	Sec.
1 To what lands Act shall apply.	8 When land, &c. shall vest in Town.
2 Council to file plan of street with Town Clerk, signed by Chairman of Council.	9 In case of dispute relative to land, amount awarded to whom paid; proviso.
3 When jury shall not allow damages for houses, &c. on lands taken; land may be valued.	10 Definition of term "owner;" jury in assessing damages to consider the increased value of land, if any.
4 When Council may have damages assessed.	11 When jury may not be put on land.
5 Jury to assess damages to be sworn; witnesses to be sworn; decision of jury relative to damages to be filed with Town Clerk.	12 Costs and expenses of Sheriff, see Schedule B.
6 Jury summoned failing to agree, new jury to be summoned.	13 Council authorized to borrow money by debentures.
7 Time after which damages, if demanded, are to be paid; proviso.	14 Debentures, by whom executed.
	15 Interest, how paid; sinking fund established.
	16 Council to order assessment to pay interest, &c.; Schedules.

Passed 10th April, 1875.

WHEREAS in consequence of the increased traffic upon Main Street, in the Town of Portland, the width of the same at certain points has been found insufficient, and it is therefore deemed advisable that means should be adopted to widen and straighten the same; and whereas in consequence of a large number of buildings on the said street having been recently destroyed by fire, a good opportunity is now afforded for widening and straightening the said street at the place where the said fire occurred;—

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

1. This Act shall apply only to the lands and premises fronting on or bounded by that part of the present northern side line of Main Street, in the Town of Portland, lying between the division line of lots owned or occupied by Edward M'Williams and Samuel Strang, in Ward number three of the said Town, and the point where the southeastern side of the Fort Howe road intersects the said northern line of Main Street; (a distance in a straight line of two hundred and sixty feet, or thereabouts).

2. So soon after the passing of this Act as the Town Council of the Town of Portland shall see fit, they shall deposit with the Town Clerk of the said Town, as one of the public records thereof, a plan of that part of Main Street mentioned in Section one of this Act; on which plan shall be distinctly shown

the present northern line of the said street, as well as the proposed northern line of the same when widened under the provisions of this Act, and also the portion of land intended by the said Town Council, by the power and authority of this Act, to be taken in order to widen the said street; such plan shall, on being so deposited as aforesaid, be signed by the Chairman of the Town Council and by the Town Clerk, and the said Town Clerk shall mark thereon the date on which the same was so deposited with him; such plan shall be open to inspection by any ratepayer of the said Town, without fee, at all reasonable times.

3. When any buildings, erections or improvements of any kind, shall be in course of construction on any part of the land shown on the said plan so deposited as aforesaid, and intended to be taken by the Town under the provisions of this Act for the purposes of the said street, it is hereby provided that it shall not be lawful for any jury summoned under the provisions of this Act to allow to any such owner any sum of money by way of damages for any erection, building, or improvements, or for any part or portion of any erection, building, or improvement made, built, constructed or placed upon any such land subsequent to the twenty eighth day of March in the year of our Lord one thousand eight hundred and seventy five; but such jury in awarding compensation or damages to such owner, shall only allow to him the value of his land taken by the said Town Council for the purposes of the said street, together with the improvements being on such land, estimated as it was on or before the said twenty eighth day of March aforesaid; provided however, that in case the Town Council shall at any time after the said twenty eighth day of March decide that they do not require any of the said lands as aforesaid, they shall forthwith pay any damages to be ascertained in the same manner as provided in Sections four, five, six, seven, eight and nine of this Act, to the parties who may have been restrained in making such erections, buildings, or improvements, by reason of being so restrained.

4. It shall be lawful for the said Town Council, within two weeks after the passing of this Act, to proceed to have the damages assessed to the owners of land, to be taken hereunder, in manner hereinafter mentioned, that is to say: The Town Council shall by warrant in Form A to this Act, signed by the Chairman of the Town Council, and sealed with the Corporate Seal of the said Town, direct the Sheriff of the City and County of Saint John to summon a jury of five disinterested freeholders of the City and County of Saint John, not being ratepayers within the Town of Portland, to assess and determine the damages to be paid by the said Town to the person named in such warrant, by way of compensation for that part of his land to be taken for the said street: On receiving such warrant, the said Sheriff shall forthwith summon a jury, according to the exigency of the said warrant, to meet at such time and place within the City and County of Saint John as the said Sheriff shall determine; provided however, that at least seven days previous notice, in writing, of the time and place for which the said jury shall be summoned, shall be given by the said Sheriff to the Town Clerk of the said Town, as well as to the person mentioned in the said warrant to whom compensation is to be made, or the agent of such person.

5. The jury so summoned shall, before proceeding to the discharge of their duties hereunder, be sworn before the said Sheriff; and it shall be lawful for them, under the conduct