

Proceeds to be invested in a Parsonage House.

II. And be it further enacted, That the money arising from the sale and disposal of the said Land shall be applied towards the erection of a Parsonage House, or in the purchase of other Lands for the use and benefit of the said Church; provided that such Parsonage House be erected on Lands vested in said Corporation.

4. e. 13
4. e. 53

CAP. XXII.

An Act in addition to an Act, intituled *An Act to prevent Nuisances within the City of Saint John.*

Passed 25th March 1844.

Preamble.

WHEREAS buildings have been erected in the City of Saint John, covering the whole ground belonging to the owner thereof, without privies or any means to accommodate the tenants thereof, whereby the Streets in front of or near the same have been encumbered with noxious and offensive matter, and the air rendered impure and injurious to health and annoying to passengers: And Whereas vacant Lots within the said City have frequently been left on the sides of the Public Streets without fences or any protection against accidents, to the peril of the lives and limbs of the Inhabitants;

Letting dwelling houses without sufficient privies.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That if any dwelling houses already erected or hereafter to be erected within the City of Saint John, shall be let or leased to any one or more tenants, without a sufficient privy or privies for the size of the building and the number of tenants the same is capable of containing, either in the yard attached to the said building, or in some suitable part or parts of the said buildings, with good and sufficient drains leading therefrom and falling into the Harbour of Saint John, or other means of keeping the same clean, every person or persons owning or letting such dwelling house not so provided with a privy or privies as aforesaid, shall forfeit and pay the sum of two pounds for each and every tenant of the said building, and the further sum of one pound per week for each and every week the said tenants, or any of them, shall be allowed to remain in such building after the time of their first occupation, or after notice of the nuisance to such owner or owners, or person letting or leasing the same, to be given by the person or persons hereinafter mentioned, to be recovered on conviction before any two of Her Majesty's Justices of the Peace for the City and County of Saint John, on the oath of one or more credible witness or witnesses, and levied by Warrant of Distress and Sale of the goods and chattels of the offender or offenders, and for want thereof, his, her or their body or bodies to be taken to the Common Gaol, and there kept for fourteen days, unless sooner discharged by payment of such penalty; and when recovered, to be paid, after deducting the costs of prosecution, into the hands of the Chamberlain of the said City, to be appropriated by the Common Council of the said City in removing nuisances from the Streets of the said City and keeping the same in order.

Penalty.

Recovery.

Application.

Inspection of suspected Dwelling Houses by Grand Jury, &c., authorized.

II. And be it enacted, That it shall and may be lawful for any Grand Jury of the said City and County of Saint John, or any two Members of the Common Council of the said City, or person or persons appointed or directed by the said Common Council, to enter into and upon any building so erected or to be erected in the said City, suspected of not being furnished with such privy or privies, and let as aforesaid, for the purpose of inspecting the same and every part thereof; whose duty it shall be, on finding any infringement of this Act, forthwith to notify the owner or owners thereof, or persons letting the same, and to cause proceedings to be had under this Act against the offender or offenders.