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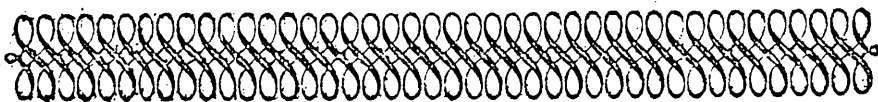
1 GEO. IV.—Sess. 1820.

A

B I L L

To regulate the Re-building of the Town of
St. John's, in *Newfoundland*, and for
indemnifying Persons giving up Ground
for that purpose.

Ordered, by The House of Commons, to be Printed,
22 June 1820.



A

B I L L

To regulate the Re-building of the Town of *St. John's*, in *Newfoundland*, and for indemnifying Persons giving up Ground for that purpose.

Note.—The Figures in the Margin denote the number of the Folios in the written Copy.

1 **W**HEREAS the Town of *Saint John*, in the Island of *Newfoundland*, hath recently been visited by very great and destructive Fires, the ravages whereof have been chiefly occasioned by the narrowness of the Streets, and the difficulty of arresting the progress of the Flames: And whereas it will greatly contribute to the convenience of the said Town, as well as to its future security, if certain Regulations be made, for the re-building of such parts thereof as have been destroyed, and also for the erection of any houses or buildings in the said Town hereafter; Preamble.

2 **Be it therefore Enacted**, by The KING's Most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, THAT the Lower Street in the said Town, commonly called *Water-street*, shall not be less than Width of Water-street. in width in every part thereof, extending from the house and stores occupied by Brown, Hoyles and Company, at the east end to the public Ships Room, commonly called the *Western Ships Room*, at the west end thereof; and that the Upper Street, commonly called *Duckworth-street*, shall not be less than Duckworth-street. in width; and that all and every houses, stores, erections and buildings whatsoever, built and erected since the first day of June one thousand eight hundred and eighteen, or which shall at any time or times hereafter be erected and built in the said street, or either of them, whether the same be upon any vacant spot of ground or upon the site of any former building, shall be made to conform to the width of the said streets, as the same is respectively hereby established and directed: Provided always, That nothing herein contained shall be

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construed to extend to any house, store, erection or building, which since the said first day of June one thousand eight hundred and eighteen, may have been or at any time hereafter may be erected in *Water-street* aforesaid, the same being built and made entirely of stone or bricks, and covered with slates or tiles, and always having a clear width in the said street of not less than

Cross Streets.

And be it further Enacted, That there shall be four Cross Streets of open spaces, to serve as Fire Breaks, and intersect the said streets called *Water-street* and *Duckworth-street*, as nearly as might be at right angles, and that all and every of the said Cross Streets shall not be less than in width, and shall run in the following directions, that is to say, The first or western cross street from the water side, in a line with the corner of *Dinah Elliott's* shop and *Maddock's-lane*; to *Duckworth-street*; the second from the water side, running in a line with the corner of *James Clift's* and *Perkins* and *Winter's* tenements, leading up the *Church Hill*; the third to run from the water side between *Clapp's* and *Keen's* properties, lately held by *George Niven* and *A. Chambers*, the middle of the cove to be the centre of the street, through the ground lately occupied by *William Barnes* and others; and the last or eastern street, from the Ordnance Wharf up to the *King's Road*; and that no house, store, erection or building whatsoever, shall be erected or built so as to front above *Water-street* upon any or either of the said cross streets, but that the same shall be and remain open and free from any buildings whatsoever, other than the inclosures thereof; and also, that in case any other cross streets may be hereafter required as a security against fire, upon the same being marked out and presented by the Grand Jury, and approved by the Governor for the time being, there shall be such other cross streets or fire breaks, of the like dimensions of those hereinbefore mentioned, and according to the boundaries so presented and approved; and the ground and property necessary to be taken shall be estimated and paid for in like manner as is hereinafter mentioned: Provided always, That nothing herein contained shall authorize the taking of any fishing room, flakes, or any part thereof, which may be actually occupied and employed for the purpose of curing fish.

Store.

Coopers Shops not to be in either of the said Streets.

And be it further Enacted, That it shall not be lawful for any person or persons, at any time or times hereafter, to build occupy or use, as a cooper's shop, any house building or place whatsoever, in any or either of the said streets hereinbefore mentioned, or in any manner adjoining or connected with the same, excepting only such temporary sheds or coverings as may be erected upon any wharf or wharfs, for the tumning and preparing of casks or other articles of cooperage, for immediate use and shipment.

Remunerating Persons for Losses sustained.

AND whereas it is just and proper that such persons as may have sustained any loss of property by reason of the same being taken in the public streets hereinbefore mentioned, should be remunerated for the same; BE it therefore Enacted, That it shall be lawful for all and every of the proprietors of houses, tenements, and lots or parcels of ground lying and being

7 being in the said streets hereinbefore mentioned, and also for all and every of the said proprietors of such portions of ground as have been, or may be necessary to be taken for the purpose of making and widening the said streets as aforesaid, or their agents usually acting in their behalf, to meet at such time and place as the Governor of the said Island of *Newfoundland* for the time being may for such purpose publicly notify and appoint; and then and there to choose four persons, two whereof to be chosen by the first-mentioned proprietors, or the majority thereof, which may be assembled as aforesaid; and the remaining two by the last-mentioned proprietors or the majority thereof, or their agents as aforesaid, who together shall have power to elect a fifth person as umpire, and which five persons so chosen and elected, shall thereupon, after being duly sworn in such behalf before the Chief Magistrate of the said town for the time being, be appraisers; and shall forthwith proceed to appraise the value of all and every such portions of ground as have been or may be necessary to be taken for the purposes aforesaid, always taking into account the additional value divided to the several proprietors from the convenience and security afforded by the widening of the said streets; and that the said appraised value shall be deemed and considered as the true value of the said portions of ground, and shall be paid by all and every the proprietors of the said houses, tenements, lots and parcels of ground, lying and being in the said streets respectively, in such proportions, with reference to the value of their several interests therein, as the said appraisers so chosen and elected as aforesaid shall assess and appoint, and which they are hereby authorized and required to do: Provided always, That if the said appraisers shall be of opinion, that any proprietors of the said ground so required for the streets as aforesaid, or any of them, may be indemnified at a less expense to the proprietors in general, by having an equal portion of ground assigned to them from any ground adjoining and that such adjoining ground may be taken without material injury to the proprietor or proprietors thereof, it shall be lawful, and the said appraisers are required to mark off, and in like manner to appraise so much of the said adjoining ground as they may think sufficient to replace the ground required for the said streets; and the same so marked off, shall belong to the first mentioned proprietors, and be in lieu of all and every indemnity whatsoever; and the appraised value of the same, shall be paid by the said proprietors in general to the proprietor or proprietors from whom the same was respectively taken, and shall be as a full satisfaction and release of the same, and of all right and title thereto.

10 And be it further Enacted, That the said appraisers shall have power and authority, and they are hereby directed and required, to enter into and upon all and every the lots or parcels of ground lying and being between the said streets called *Water-street* and *Duckworth-street*, and there to mark off such bounds and limits for the building of all houses, out-houses, offices and buildings, at the back of all and every of the houses tenements and lots situated in the said streets respectively, as to the said appraisers may seem just and equitable between the parties; always taking care, and it being the special intention of this clause, that sufficient

Appraisers to
fix Bounds.

intervals and spaces be in all cases left open and free from wooden or other combustible buildings, to prevent as much as possible the communication of fire from one of the said streets to the other, by means of any buildings at the back of the same; and the said bounds and limits for building houses, out-houses and back buildings as aforesaid, be in all cases inviolable: Provided always, however, That nothing in this clause contained shall extend to prevent or hinder any person or persons from building any office, outhouse or other building, of stone or bricks, to be covered with slates or tiles, upon any part of the said ground lying between the said streets as aforesaid. 11

Former
Bounds to be
established.

AND in order to remove any doubts or difficulties which may at any time hereafter arise, as to carrying into effect the provisions of the first section of this Act; BE it further Enacted, That the metes and bounds of certain parts of *Water-street* and *Duckworth-street*, as respectively laid out and marked by the committee appointed for that purpose by the proprietors assembled at the said Town of *Saint John*, in or about the month of June one thousand eight hundred and eighteen aforesaid, be confirmed, and the same are hereby declared to be the lawful and established bounds of the said streets, so far as the same may go and extend; and that as often as any new building shall at any time hereafter be intended to be erected in or upon any part or parts of either of the said streets, where such bounds have not been already laid out by the committee as aforesaid, and do not extend to the south sides of the said streets as they now respectively stand and are, shall be considered as fixed boundaries thereof; and any deficiency in the width of the said streets, or either of them, shall be taken from the ground lying on the north sides of the same respectively, unless it should be made to appear by the presentment of the Grand Jury or otherwise, by consent of parties, to be sanctioned by the Governor, that the additional width might with greater convenience be taken from the south sides of the said streets respectively, in which case the said deficiency shall be taken from the south sides, so as that in all cases the said streets be respectively made conformable to the width directed and established by this Act. 12 13