

end of the southern Wharf of the north slip, which said point is seventy feet distant from the southwest corner of the said Robert W. Crookshanks' present Wharf, thence from said point in a direct line to the southwest corner of the Wharf now or lately the property of David Hatfield to the southward of the South Market Wharf, thence in a direct line to the southwest corner of Nehemiah Merritt's south Wharf, thence in a direct line to a point in the western prolongation of the south line of the Wharf of the late Richard Bonsal, distant sixty feet from the western end of the said Wharf, and thence in a direct line to a westwardly prolongation of the north line of Saint James Street, at the distance of one hundred and eighty five feet from the western side line of Prince William Street, measured on the north line of Saint James Street as marked on the said plan; and that the said plan so prepared by the said Commissioners shall be signed by them and filed in the office of the Secretary of the Province.

How wharves to be constructed and occupied.

II. And be it enacted, That all Wharves to be erected within or on the eastern side of the said line, shall be of squared Timber and close built, so as to prevent stone, rubbish or gravel from falling into the Harbour, and no ballast shall be allowed to be used in the building thereof but stone, and the tops of such Wharves to be planked or timbered in the same manner as the North and South Market Wharves; and such Wharves to the extent of forty feet from the fronts thereof respectively, to be for ever kept free and open for vessels to repair to, and load and discharge thereat, and no Houses or Stores shall at any time be erected on the said spaces, and no Lumber or Goods of any sort be permitted to remain on such spaces longer than twenty four hours.

No wharf to be built on the harbour front between Duke and Saint James Streets unless land be conveyed for the continuation of Saint John or Water Street.

III. 'Whereas the property fronting on that part of the Harbour of the City of Saint John, situate between Duke and Saint James Streets, would be greatly benefitted, and the Harbour made more commodious for loading and discharging goods, if a Street in continuation of Saint John or Water Street were to be laid out thereon;' Be it enacted, That it shall not be lawful for the owners of such property to build or authorize to be built any Wharf, Pier or other erection, on the beach or flats between the line of low water mark and the line for limiting the extension of Wharves described herein, unless such owner or owners shall have first conveyed to the Mayor, Aldermen and Commonalty of the said City, a space of not less than fifty feet in width through his or their property, ground or flats, for the sole and exclusive purpose of continuing Saint John or Water Street from Duke to Saint James Street, as aforesaid.

Two Slips for each block to be left as landing slips.

IV. And be it enacted, That no space between low water mark and the line defining the extent to which Wharves may be built, shall be leased or sold to any person or persons whomsoever, unless it shall first be stipulated that at least two Slips of not less than thirty five feet in width each, and one hundred and twenty feet or more in length, shall for ever be left open and kept as Landing Slips, with cart ways leading to the public Streets, for each block or space contained between Union and King Streets, King and Princess Streets, Princess and Duke Streets, Duke and Queen Streets, and Queen and Saint James Streets.

CAP. LXXXII.

An Act to authorize the granting of certain Tracts of Land, to the North American Colonial Association of Ireland, and to prescribe the terms and conditions thereof.

Passed 31st March 1840.

Preamble.

'WHEREAS it is desirable that reasonable encouragement should be afforded to the North American Colonial Association of Ireland to introduce and settle Emigrants into this Province;'

I.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the Lieutenant Governor or Commander in Chief for the time being, by and with the advice and consent of Her Majesty's Executive Council to sell and grant by private sale to a certain Company incorporated by an Act of the Imperial Parliament called the North American Colonial Association of Ireland, not exceeding one hundred thousand acres of the Crown Lands of this Province, being fit for agricultural improvements, for a sum not less than three shillings per acre, one third of such purchase to be paid upon the passing of the Grant, one third in three years, with interest, and the remaining one third in six years, with interest, from date of the purchase, which two last mentioned instalments shall be duly secured by bond or otherwise to the satisfaction of the Lieutenant Governor and Her Majesty's Executive Council: Provided always, That every such grant shall be subject to the right of the Crown to all Coals, and Mines, and Minerals in such lands so to be granted, and that all and every grant or grants that may be made to the said Association without containing a clause reserving such right to Her Majesty, Her Heirs and Successors shall and are hereby declared to be null and void, any thing herein contained to the contrary thereof notwithstanding.

Governor authorized to sell 100,000 acres of land to the North American Colonial Association.

Terms of payment.

Reservation of Coals, Mines and Minerals.

II. And be it enacted, That the said quantity of Land be granted in Lots not exceeding thirty nor less than five thousand acres in any one tract, and upon the following conditions:

Conditions.

Extent of each tract.

That every tract shall be surveyed under the direction of the Surveyor General of the Province, and a plan and return thereof made within twelve months after the application therefor, and that the said Association shall pay all the expenses of such survey, plans and returns;

Survey and expenses.

That three per cent. on each block or tract of land granted shall be cleared and prepared for cultivation within three years from the date of the grant thereof, and so on at the rate of three per cent. for every three years until nine per cent. of the whole block or tract be cultivated;

Improvements to be made.

That at least one in every eight lots of one hundred acres each, on each and every of the blocks of lands granted to the said Association be allotted, set apart, and occupied by *bona fide* Settlers, being emigrants and actually introduced into this Province by the said Association, within five years from the dates of the grants thereof respectively.

Settlement.

III. And be it further enacted, That in case the said Company or Association shall fail or neglect to cultivate, improve and settle upon the said blocks or tracts of lands, so to be granted as aforeaid, agreeably to the terms prescribed in the preceding Section, the said tracts or blocks of land respectively shall become forfeited, and upon inquisition found, revert to the Crown.

On failure of cultivation and settlement, land to revert to the Crown.

CAP. LXXXIII.

Further amended by 4th Dec. c. 49

An Act to alter and amend an Act, intituled "An Act to authorize the widening and enlarging of certain Streets in the City of Saint John, and of laying out other Streets therein."

Passed 31st March 1840.

WHEREAS by an Act made and passed in the third year of the Reign of Her present Majesty Queen Victoria, intituled "An Act to authorize the widening and enlarging of certain Streets in the City of Saint John, and of laying out other Streets therein," it is provided, that the Commissioners appointed under the provisions of the said Act have full power to enter upon the

Preamble.

3 Victoria, c. 2.