

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.

‘ the lands and tenements in the district named in the said Act, for the purpose of
 ‘ widening, altering, straightening, enlarging and opening certain Streets, called
 ‘ Dock Street, Nelson Street, and Smyth Street, and to estimate the value of the
 ‘ lands required for widening, extending, altering, straightening, enlarging and
 ‘ opening the said Streets, and to assess and apportion three fourth parts of the
 ‘ amount of such estimated value on all the parties interested in any lands, tene-
 ‘ ments, and hereditaments within the said district, including the parties interested
 ‘ in such lands, tenements, and hereditaments required for the purpose of such
 ‘ Streets respectively, according to their best discretion, in proportion to the benefit
 ‘ accruing to such parties respectively from the improvement of the said Streets,
 ‘ and to file a plan, with the report of their doings, in the Office of the Common
 ‘ Clerk of the said City of Saint John ; And whereas by the said Act, the remain-
 ‘ ing one fourth part of the estimated value of the said land and premises should
 ‘ be paid by the inhabitants of the said City, on the eastern side of the harbour of
 ‘ Saint John ; And whereas the Commissioners appointed in pursuance of the said
 ‘ Act have entered upon the duties required of them by the said Act, and among
 ‘ other things have widened Dock Street to the extent of sixty feet ; And whereas
 ‘ the widening of the said Street to sixty feet has been found injurious, and it is
 ‘ deemed advisable to reduce the width of the said Street called Dock Street to
 ‘ fifty feet, and also to alter the mode by which the assessment of value of the
 ‘ lands required for widening, extending, altering, straightening, enlarging and
 ‘ opening the said Streets, should be made ;’

Plans, &c. filed
 under 3 Victoria,
 c. 2, declared void.

I. Be it therefore enacted by the Lieutenant Governōr, Legislative Council and
 Assembly, That the plans and report, and estimate of damages of the Commis-
 sioners appointed under the aforesaid in part recited Act, and filed with the
 Common Clerk in the City of Saint John, be and the same are hereby declared to
 be null and void and of no effect.

So much of 3 Vic-
 toria, c. 2, as re-
 lates to the asses-
 sing of three
 fourths of the
 value of lands, &c.
 repealed.

II. And be it enacted, That so much of the said in part recited Act as requires
 three fourths of the amount of the estimated value of the lands, tenements and
 hereditaments required for widening, extending, straightening, enlarging, opening
 and laying out the said Streets, to be assessed upon any of the parties interested
 in any of the lands, tenements and hereditaments within the said district, including
 the parties interested in such lands, tenements and hereditaments, required for the
 purpose of such Streets respectively be and the same is hereby repealed.

Commissioners to
 extend Dock
 Street to fifty feet
 in width and
 make plans, esti-
 mates and report
 as required by 3
 Victoria, c. 2, s. 3.

III. And be it enacted, That the Commissioners heretofore appointed or here-
 after to be appointed, reappointed or supplied, according to the provisions of the
 said in part recited Act, for the purpose of widening the said Streets and estimating
 the damage arising therefrom, under and by virtue of the said hereinbefore in
 part recited Act, be and they are hereby authorized and empowered to extend
 Dock Street to the width of fifty feet in the whole, by adding ten feet only to the
 former width, from the eastern side of the said Street, and to make the like plans
 and estimates, as well for Dock Street as for Nelson and Smyth Streets aforesaid,
 as are contemplated in and by the third Section of the said Act, which said plans
 and estimates, with the report of the said Commissioners, when filed with the
 Common Clerk of the said City, shall have the like force and effect as the plan,
 estimate and report mentioned in the same third Section of the said Act.

How assessment
 of damages to be
 apportioned.

IV. ‘ And whereas the sum of three thousand pounds has been granted by the
 ‘ Legislature towards carrying into effect the contemplated alterations in the said
 ‘ Streets ;’ Be it therefore enacted, That the residue of the estimated damages be
 divided, apportioned, and assessed as follows : One third thereof be assessed upon
 and paid by all the parties interested in any lands, tenements and hereditaments
 within

within the district particularly described in the preamble of the said Act to which this is an amendment, including the parties interested in such lands, tenements and hereditaments required for the purpose of the said alterations; One other third part of the said residue to be assessed as directed in and by the sixth section of the said Act to which this is an amendment, and the remaining other third part to be paid by the Mayor, Aldermen and Commonalty of the said City out of the Corporate funds of the said City.

V. And be it enacted, That the time mentioned in the fifth section of the Act to which this is an amendment, for paying the respective persons and parties mentioned or referred to in the report of the Commissioners, be extended to six months after the filing of the report of said Commissioners under this Act.

Time for payment extended to six months after filing of the report.

CAP. LXXXIV.

An Act further to provide for a limited time for the support of the Civil Government of the Province.

Passed 31st March 1840.

WHEREAS it is necessary from the peculiar state of public affairs, that an additional sum should be granted to the present Lieutenant Governor of the Province, over and above his salary now chargeable upon the Civil List;

Preamble.

Therefore, We, Her Majesty's dutiful and loyal subjects the Commons of New Brunswick, in General Assembly convened, have freely and voluntarily resolved to give and to grant to the Queen's Most Excellent Majesty, the sum of five hundred pounds sterling, annually, payable to the Lieutenant Governor of the Province, in addition to his salary now borne upon the Civil List of the Province, to commence on the first day of June in the year of our Lord one thousand eight hundred and thirty seven, and continue during his Administration of the Government; We therefore pray your Majesty that it may be enacted,

I. And be it enacted by the Lieutenant Governor, Legislative Council and Assembly, and by the authority of the same, That there be and is hereby granted to the Queen's most Excellent Majesty, out of the Revenues of this Province, the sum of five hundred pounds sterling, annually, from the first day of June in the year of our Lord one thousand eight hundred and thirty seven, as an addition to the salary now received by the Lieutenant Governor and chargeable on the Civil List of the Province, the same to continue until the term of his Administration of the Government shall cease.

£500 sterling, per annum, granted as an addition to the Salary of the Lieutenant Governor, from first of June 1837.

Limitation.

II. And be it enacted, That this Act shall not be in force until Her Majesty's Royal Approbation be thereunto had and declared.

Suspending clause.

[This Act was specially confirmed, ratified and finally enacted by an Order of the Queen in Council, dated the 22d day of May, 1840, and published and declared in the Province on the 29th day of July, 1840.]