

be sold, whether under sale or lease from the Indians or otherwise, so as to secure to the person or persons who shall have made such improvements, a fair and just remuneration for the same.

X. And be it enacted, That it shall and may be lawful for the local Commissioners, or the major part of them, under the direction of His Excellency the Lieutenant Governor, to lay off any Tract or Tracts of the Indian Reserves, or any part or parts of the same, into Villages or Town Plots for the exclusive benefit of the Indians of the County in which such Town Plot shall be situate, and to apportion such Villages or Town Plots into allotments of not more than fifty nor less than five acres, Location Tickets of which shall be granted from time to time by His Excellency the Lieutenant Governor to such Indians as His Excellency may deem fit objects for such exclusive appropriations, and to any or all of whom it shall and may be lawful for His Excellency the Lieutenant Governor, by and with the advice aforesaid, to make absolute Grants after the Indians to whom such Location Tickets have issued shall have resided upon and improved the same for a period of not less than ten years.

Lands may be laid off in Villages or Town Plots and Grants made to Indians.

XI. And be it enacted, That all Grants and Location Tickets made under the provisions of this Act shall issue to the parties free of expense.

Grants to be free of expense.

XII. And be it enacted, That in order to cause proper surveys to be made, and otherwise to carry into effect the provisions of this Act, it shall and may be lawful for His Excellency the Lieutenant Governor or Administrator of the Government, to draw by Warrant from the Treasury a sum not exceeding one hundred and fifty pounds, to be refunded to the Treasury from the proceeds of the Indian Lands.

An advance of £150. from the Treasury authorized to carry on the Surveys.

XIII. And be it enacted, That this Act shall not come into operation until Her Majesty's Royal approbation shall be thereunto first had and declared.

Suspending clause.

[This Act was finally enacted, ratified and confirmed by Order of Her Majesty in Council, dated 3d September, 1844, and published and declared in the Province on the 25th day of September, 1844.]

### CAP. XLVIII.

An Act to enable Her Majesty's Government to carry into effect within the Province the provisions of the Fourth Article of the Treaty of Washington.

Passed 13th April 1844.

**WHEREAS** by the Fourth Article of the Treaty of Washington made and entered into between Her Most Gracious Majesty and the United States of America, it is stipulated "That all Grants of Land made by either party within the Territory which by Treaty falls within the Dominions of the other party, shall be held valid, ratified and confirmed to the persons in possession under such Grants, to the same extent as if such Territory had by this Treaty fallen within the Dominion of the party by whom such Grants were made; and all equitable possessory claims arising from a possession and improvement of any Lot or Parcel of Land by the person actually in possession, or by those under whom such person claims, for more than six years before the date of such Treaty, shall in like manner be deemed valid, and be confirmed and quieted by a release to the person entitled thereto, of the title of such Lot or parcel of Land so described as best to include the improvements made thereon, and in all other respects the two contracting parties agree to deal upon the most liberal principles of equity with the Settlers actually dwelling on the Territory falling to them respectively, which has heretofore been in dispute between them:"

Preamble.

And

‘ And whereas doubts have arisen as to the power and authority of His Excellency the Lieutenant Governor of this Province to carry into full effect the stipulations contained in the said recited Fourth Article of the said Treaty, in consequence of the provisions of an Act of the General Assembly of this Province made and passed in the eighth year of the Reign of His late Majesty King William the Fourth, intituled *An Act for the support of the Civil Government in this Province;*’

8 W. 4, c. 1.

Governor authorized to pass Grants &c. necessary to effectuate the fourth article of the Treaty.

I. Be it therefore enacted by His Excellency the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice of the Executive Council, to pass any grant, release or other conveyance, in the name of Her Majesty, that may be deemed necessary to carry into full effect every and all the stipulations mentioned and contained in the said recited Fourth Article of the said Treaty, so far as may relate to any such grant or release.

Grants to be good, Act 8 W. 4, c. 1, notwithstanding.

II. And be it enacted, That any such Grant so passed shall be good and effectual to all intents and purposes, any thing in the said recited Act to the contrary thereof in any wise notwithstanding.

Suspending clause.

III. And be it further enacted, That this Act shall not come into operation until Her Majesty's Royal approbation be thereunto first had and declared.

[*This Act was finally enacted, ratified and confirmed by Order of Her Majesty in Council, dated 3d September, 1844, and published and declared in the Province on the 25th day of September, 1844.*]

## CAP. XLIX.

An Act to incorporate the Arestook Boom Company.

*Passed 13th April 1844.*

Preamble.

‘ WHEREAS the erection of a Boom at the mouth of the Arestook River will be convenient and advantageous to the Commercial interests of the Province;’

Company incorporated.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That William J. Bedell, Charles R. Upton, Thomas E. Perley, Nelson Terney, their Associates, Successors and Assigns, be and they are hereby created and declared to be a Body Politic and Corporate, by the name of ‘The Arestook Boom Company,’ and by that name shall have all the general powers and privileges made incident to a Corporation by Act of Assembly in this Province, for the purpose of erecting, building and maintaining a Boom across the Arestook River, below the Falls in the said River, to secure the Timber, Logs and other Lumber floating down the same.

Authority given to erect a Boom across the Arestook River.

II. And be it enacted, That the said Corporation may erect and maintain a Boom across the said Arestook River, at some convenient place below the Falls thereof, for the purpose of stopping and securing Timber, Logs, Masts, Spars and other Lumber floating upon the said River, and may erect certain Piers and Booms such as they may think necessary; provided that the said Booms be so constructed as to admit the passage of rafts and boats, and preserve the navigation of the River; but no person shall be allowed at any time to encumber the said Boom either with rafts of Timber, Logs or other Lumber, nor be allowed a passage through the same with such rafts, when the opening of the Boom for that purpose would endanger the safety of any Timber, Logs or other Lumber contained therein.

Act not to authorize the use of private property without consent.

III. And be it enacted, That nothing in this Act shall authorize or be construed to authorize the said Corporation to enter upon the lands or use the private