

‘reference being thereunto had, or the registry thereof in the Office of the Secretary and Register of the Province, will more fully appear: And whereas the said several pieces and parcels of Land contained in the said several Grants above mentioned, are all situate in front of the Town Plat of Fredericton, as described in the Grant to Cornelius Akerman and others, and form part of the Land reserved for a Common and other public uses: And whereas doubts have recently been started as to the titles of the aforementioned Grantees to the Lands specified in the said Grants, and the right of the Crown to grant any of the Land reserved in Fredericton, has been questioned: And whereas common justice to the individual purchasers and their assigns, as well as the peace and quiet of the inhabitants of Fredericton, alike require that all such doubts should be removed, and any question of the validity of their titles for ever set at rest and quieted;’

Recited Grants to be good titles.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the said several Grants above mentioned, and each and every of them, shall be good, valid and effectual for all the purposes therein severally contained, and shall be deemed to operate against all persons whatever, according to the terms and conditions of such Grant, and subject alone to the provisoes and conditions therein contained; and all Courts of Law and Equity shall, and they are required, in all suits, actions or controversies in any way relating thereto, to presume that the title to the land specified in each and every of the aforementioned Grants, was in the Crown at the time of the issuing of such Grant, and thereby regularly and legally granted and aliened.

Construction of Act.

II. And be it enacted, That this Act shall be construed liberally for the purpose of effecting the objects for which it was enacted.

CAP LXX.

An Act to encourage the building of a Steamer to run between the Great Falls and the River Saint Francis, on the Upper Saint John.

Passed 14th April 1846.

Preamble.

‘WHEREAS a Petition has been presented to the General Assembly of this Province from James Drake, of the City of Fredericton, in the County of York, praying for an exclusive privilege for the term of five years, to be granted to him by an Act of the General Assembly of this Province, as an encouragement for the erection of a Passage and Freight Boat to be worked by Steam, for the accommodation and conveyance of Passengers and Freight between the Grand Falls and the upper part of the River Saint John: And whereas a Steam Boat for the accommodation and conveyance of Passengers and Freight between the Grand Falls and the upper part of the River Saint John, is much wanted, and will add greatly to the facility of the communication;’

Exclusive right of navigating by Steam the Saint John, from the Grand Falls upwards, granted to James Drake, upon Bond being given to erect a Boat within six months.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the said James Drake, upon good and sufficient security being given to Her Majesty, Her Heirs and Successors, by Bond, by the said James Drake, in the penal sum of two thousand pounds, conditioned to be void on the erection of a good and sufficient Boat to be worked by Steam, competent to the accommodation of one hundred Passengers and thirty tons of Freight, within six months from the passing of this Act, shall so soon as such Boat shall be completed and finished, have, possess and enjoy to himself, his Executors, Administrators and Assigns, the sole right of carrying Passengers and transporting Freight of different kinds in a Boat so to be worked by Steam on the River Saint John, from the Grand Falls upwards, for the term of five years from the passing

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of this Act; and no other person or persons whomsoever, other than the said James Drake, his Executors, Administrators or Assigns, shall use or employ any Boat or Boats to be worked by Steam above the Grand Falls, aforesaid, and within this Province, for any purpose whatsoever during the said term of five years.

II. And be it enacted, That nothing in this Act contained shall extend or be construed to extend to restrain or in any manner affect the right of any person or persons to carry Passengers and transport Freight in Boats or Vessels of any description whatsoever, not worked by Steam, in like manner as such person or persons might have done, if this Act had not been made.

Right of using Boats of any other description reserved.

III. Provided always, and be it enacted, That if the said James Drake shall neglect to enter into and duly execute the said Bond, as required by the first section of this Act, within two months from the time of the passing of this Act, the same shall cease to be of any force or effect.

Act to cease if Bond be not executed within two months.

IV. Provided also, and be it enacted, That whereas such Steam Boat can be made use of during the Summer season only, a list of the rates of the passage money and freight intended to be received and taken during the then next ensuing season, shall within one month before such Boat shall be actually used for the transportation of Passengers and Freight as aforesaid, be published in one of the public Newspapers in Fredericton and Woodstock; and in case any alteration of such rates to be taken in any subsequent season shall be thought expedient to be made during the enjoyment of the right hereinbefore granted, such alteration shall be in like manner published, one month at the least before the commencement of the season, and that no higher or greater rates shall be taken in any season than such as shall be published to be taken during such season as aforesaid; and that in case such Steam Boat shall be unfit for use, or shall not be ready to be employed for the purposes aforesaid, agreeably to the true intent and meaning of this Act, during the space of two months in any season after such Steam Boat shall be completed and finished as aforesaid, unless in case of any accident by which the necessary repairs of such Boat shall require longer time to complete the same, then and from thenceforth the said right secured as aforesaid by this Act shall cease, determine, and become null and void.

List of rates to be published, and none higher to be exacted.

Exclusive right to cease on any discontinuance of operation for upwards of two months, except for repairs.

V. And be it enacted, That nothing in this Act contained shall extend or be construed to extend to interfere with or diminish any rights granted to the New Brunswick Railway Company by an Act of this present Session of the Legislature, intituled *An Act to incorporate the New Brunswick Railway Company*, any thing in this Act contained to the contrary notwithstanding.

Rights of the New Brunswick Railway Company saved.