

Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1816. Fredericton, NB: George K. Lugin, Printer to the King's Most Excellent Majesty, 1816.

56 George III – Chapter 7

An Act to provide for the purchase of a Place for the residence and accommodation of the Governor or Commander-in-Chief of this Province. Passed the 7th of March, 1816.

Whereas a negotiation has been entered into and concluded upon by and between William Botford, James Fraser and John Allen, Esquires, a Committee of the House of Assembly of the one part, and Colonel Harris William Hailes, the Agent of His Excellency Lieutenant-Governor Thomas Carleton, (who is now in England) and the Governor and Trustees of the College of New-Brunswick of the other part, for the purchase of the Mansion House commonly called and known by the name of the Government-House, with the Out-houses and the Lands adjacent thereto, bounded north-easterly on the River Saint John, south-easterly by the Road at the upper end of the Town plat of Fredericton, in the County of York, south-westerly by the highway leading from Fredericton aforesaid into the Country, and north-westerly by a line extending from the said highway to the said River, parallel to the said Road, and being at the distance of forty-three chains, of four poles each, and fifty links, measured along the said highway from the Road aforesaid, and containing about fifty acres, now in the occupation of His Honor Major-General George Stracey Smyth, the President and Commander-in-Chief of the Province as a residence, for and the accommodation of the Governor or Commander-in-Chief for the time being of this Province: And Whereas it appears that although the equitable title to the said Premises is in the said Lieutenant-Governor Carleton, subject to an agreed rent of six pounds, one shilling and eight pence per annum upon a part of the said Lands, payable to the said College, yet the legal title thereto rests in the said Governor and Trustees of the said College, which legal title they the said Governor and Trustees have consented and agreed to part with and convey upon such terms with regard to the said rent, as the General Assembly may deem proper: And Whereas it appears that the said Agent of the said Lieutenant Governor Carleton has consented and agreed to accept of the sum of three thousand five hundred pounds of lawful money of this Province for the same premises, and upon the payment thereof, to release and convey all the right and tide of the said Lieutenant-Governor Carleton and his Heirs to the same premises in such way and manner as may or can be done by Law: And Whereas it is considered just and equitable to grant and pay to the said Governor and Trustees of the said College the sum of one hundred and fifty pounds of like lawful money, to redeem the said rent for the perfecting of which said negotiation and agreement, and for carrying the same into full force and effect—

I. Be it enacted by the President, Council and Assembly, That the said Governor and Trustees of the College of New-Brunswick, are hereby authorized and empowered to grant and convey all the right, title and interest which they have of, in and to the same Premises to the King's Majesty, his Heirs and Successors, and freed and discharged from the said annual rent.

II. And be it further enacted, That immediately upon the due execution of a grant and conveyance by the said Governor and Trustees of the said College of New-Brunswick of the said

Premises, and also of a release and conveyance of the same by the said Agent of the said Lieutenant-Governor Carleton, for and in the name of the said Lieutenant-Governor Carleton, to the King's Majesty, his Heirs and Successors for the purpose aforesaid; there shall be paid out of the Province Treasury by warrant from the Governor or Commander-in-Chief, for the time being, who is hereby authorized to issue the same with the advice of His Majesty's Council, the said sum of three thousand five hundred pounds to the said Lieutenant-Governor Carleton or his said Agent, and also in like manner to the said Governor and Trustees of the College of New-Brunswick, the said sum of one hundred and fifty pounds.

III. And be it further enacted, That the said deeds and conveyances, when duly executed and entered in the office of the Register of the Records of this Province shall be, and the same are hereby declared to be good and effectual in the Law, to all intents and purposes to transfer to and vest in the King's Majesty, his Heirs and Successors for the purpose aforesaid, full and absolute property and seisin of and in the same premises, saying nevertheless the right and title of any other person or persons, or body corporate and politic, except the said Lieutenant-Governor Carleton and his Heirs, and the said Governor and Trustees of the College of New-Brunswick.

IV. And be it further enacted and declared, That the same Premises shall be from and after the transfer and conveyance thereof as aforesaid, deemed and considered to be holden by his said Majesty and his Heirs and Successors, for the use and benefit of this Province, and for the sole purpose of a residence, for and the accommodation of the Governor or Commander-in-Chief of the Province for the time being, and that the same or any part thereof, shall not in any way or by any means whatever, be alienated or granted or disposed of to any person or persons whomsoever, or for any other purpose whatsoever without an Act of the General Assembly of this Province authorizing the same.

V. And be it further enacted, That the Honorable Jonathan Bliss, Chief Justice, the Honorable John Robinson, Esq. Speaker of the House of Assembly, Thomas Wetmore, Esq. the Attorney General. William Franklin Odell, Esq. the Secretary, and the Honorable George Sproule, the Surveyor General of this Province, and their successors in office respectively, are hereby nominated and appointed to be commissioners to have the care and management of the said Premises, and the super-intendance and controul of any reparations and improvements to be from time to time made under and by the authority of the General Assembly of this Province.

VI. And be it further enacted, That this Act shall be deemed and taken to be a Public Act, any thing to the contrary thereof notwithstanding.