

Acts of the General Assembly of His Majesty's Province of New-Brunswick passed in the year 1825. Fredericton, NB: George K. Lugin, Printer to the King's Most Excellent Majesty, 1825.

6 George IV – Chapter 36 (1822)

An Act Supplementary to an Act, intituled, An Act to confirm and perfect and to carry into effect an agreement made between the Governor and Trustees of the College of New-Brunswick, and certain Tenants of the said Governor and Trustees. Passed the 21st of March, 1824.

Whereas by an Act made and passed on the 22d day of March in the year of our Lord one thousand eight hundred and twenty, intituled, "An Act to confirm and perfect, and to carry into effect an agreement made between the Governor and Trustees of the College of New-Brunswick and certain Tenants of the said Governor and Trustees," it is among other things provided and enacted, that it shall and may be lawful for the said Governor and Trustees of the College of New-Brunswick, to grant, convey and confirm in perpetuity, subject to certain rents therein specified, to certain persons therein named, their heirs and assigns, certain parts and parcels of Land contained in a Grant from the Crown to the said Governor and Trustees, bearing date the 18th day of July, in the year of our Lord one thousand and eight hundred, which had been granted by the Crown prior to the passing of the same Grant to the said Governor and Trustees, to those persons; and also to grant, convey and confirm to certain other persons, their heirs and assigns in perpetuity, subject to certain increased rents, as in the same Act is also specified, certain other parts and parcels of the Lands contained in the said Grant to the said Governor and Trustees, which had been allotted to those persons prior to the passing of the same Grant: And whereas no provision is made by the same Act for adjusting and settling the rights and interests of the Heirs and Assigns of the said several and respective persons so entitled in cases of any conflicting claims to any of the said Lands which the said Governor and Trustees are so authorized and empowered to grant, convey, and confirm as aforesaid, subject to certain rents as aforesaid, the want of which provision may lead to injustice towards some of the claimants, and undue partiality towards others: For remedy whereof,

I. Be it enacted by the Lieutenant-Governor, Council and Assembly, That before any of the said Lands shall be granted, conveyed and confirmed to any person or persons claiming the same, either as the heirs or assigns of any of the persons to whom the same were originally granted and conveyed by the said Governor and Trustees after the passing of the said Royal Grant to them in the year one thousand eight hundred, or otherwise notice shall be given and published in the Royal Gazette of this Province, and continued for three months by or by the authority of the said Governor and Trustees requiring the several and respective claimants of the same Lands, to deliver to the said Governor and Trustees, by a certain day to be in the same notice prefixed, their several and respective claims to the parts and parcels of the same Lands so claimed by them, specifying therein the several quantities so claimed, and the means by which they derive title thereto: And if it shall appear that in any case there be two or more opposite claimants for the same piece or parcel of Land, the said Governor and Trustees shall forbear to execute any grant or conveyance of such Land mentioned in such conflicting claims, until the right thereto shall be settled and adjudged by the Court of Chancery of this Province, which said Court is hereby

authorized upon the Petition of either party, to summon the other or others, and to examine into the claims of the said parties and to determine and decide the same in a summary way, making such order or orders in each case, as the same may require.

II. And be it further enacted, That in order to give full opportunity to all persons who may have claims to any of the said Lands, to exhibit and prosecute the same if necessary, before the said Court of Chancery, no Grant or conveyance of confirmation or other Grant or Deed which by the said in part recited Act, the said Governor and Trustees, are empowered to make and give, shall be executed by them the said Governor and Trustees until after the expiration of one month from the day prefixed in and by such notice for preferring the said claims, and any Grant or conveyance which may be made by the said Governor and Trustees during the pendency of any such litigated or conflicting claims, or contrary to the decision and direction of the said Court of Chancery, shall be and be deemed and taken to be absolutely void and of no effect in Law or equity.

III. And be it further enacted, That this Act shall not be in force until His Majesty's Royal approbation shall be thereunto had and declared.

Confirmed, finally enacted and ratified by an order of His Majesty in Council, dated 10th March 1824.