

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1845. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1845.

8 Victoria – Chapter 47

An Act to facilitate the making of the Military Road through this Province by Her Majesty's Government. Passed 27th March 1845.

Whereas Her Majesty's Home Government has recently caused a Survey to be made for a new line of Military Road to be carried from Halifax through this Province to Quebec, and has intimated an intention to make and complete the same under the directions and superintendence of Officers to be appointed by Her Majesty's Board of Ordnance, at the expense of the Imperial Funds to be provided for that purpose: And whereas it is deemed expedient to afford every facility to the Officers that may be so employed in the finally settling and laying out the line of the said Military Road, so far as the same extends through this Province, and in the opening, making and completing of the same;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That so much of the said line of the said Military Road, when finally determined on by the Officers of Her Majesty's Service appointed to survey and lay out the same, as may pass through this Province, is hereby declared and made one of the Great Roads of this Province; and the Lieutenant Governor or Administrator of the Government of the Province for the time being, by and with the advice and consent of Her Majesty's Executive Council, is hereby authorized and empowered to declare such Officer or Officers of Her Majesty's Service as may from time to time be appointed under the authority of Her Majesty's Home Government to superintend and direct the opening and making of the said Military Road, Supervisor or Supervisors of the said Road, so far as the same passes through any part of this Province, and that such Officer or Officers, when so appointed, shall and they are deemed and declared, so far as relates to the said Military Road, to have all the powers, rights, privileges and authorities vested in the Supervisors of the said Great Roads of this Province, under and by virtue of an Act made and passed in the seventh year of the Reign of His late Majesty King William the Fourth, intituled *An Act relating to the Great Roads of Communication through this Province*, but shall not be required to give any security as required of other Supervisors in and by the said recited Act, nor shall such Officer or Officers of Her Majesty's Service, when so appointed Supervisor or Supervisors of the said Military Road, be subject to or bound to perform any of the duties imposed upon Supervisors under the provisions of the said recited Act, except so far as may be necessary to give him or them the necessary powers and authority for carrying on the said work.

II. And be it enacted, That the said Officer or Officers of Her Majesty's service when so appointed from time to time Supervisor or Supervisors of so much of the Line of the said Military Road as passes through this Province, shall and are hereby declared to have all the powers, authorities, rights, privileges, benefits and protections as are vested in the Supervisors of the other Great Roads of the Province in and by the tenth, eleventh, twelfth, thirteenth, fifteenth, sixteenth and seventeenth Sections of the said recited Act, so far as the same may be found necessary and

requisite to facilitate and enable him or them to proceed with and carry on the said work and to protect him or them in the discharge of his or their duties therein.

III. And be it enacted, That when any damages shall be sustained by any person or persons through whose Lands that part of the line of the said Military Road which leads through this Province may pass, by the said Officer or Officers in Her Majesty's service carrying on the said work, exercising any of the powers and authorities of Supervisors mentioned and declared in the eleventh, twelfth or thirteenth Sections of the said recited Act, and hereby vested in him and them, upon the same being certified to the Lieutenant Governor or Administrator of the Government for the time being, by such Officer or Officers directing the said work, as having been duly ascertained and assessed according to the provisions of the said eleventh, twelfth and thirteenth Sections of the said recited Act, as the case may be, then and in every such case it shall and may be lawful for the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent of Her Majesty's Executive Council, to draw by Warrant on the Treasurer of the said Province in favor of the party or parties entitled to receive such damage for the amount thereof, and which shall be and is hereby made a charge upon the ordinary Revenue of the Province.