

*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 48 (1844)

**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 on the Territory falling to them respectively, which heretofore been in dispute between them:" 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;*

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.

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.

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.]*