

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1846. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1846.

9 Victoria – Chapter 102 (1845)

An Act to facilitate the settlement of the Crown Lands on the Military Road from Nova Scotia to the Canada Line. Passed 27th March 1845.

Whereas in and by the fifth section of an Act 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, it was enacted that all disposals of any of His Majesty's Lands, Woods, Mines and Royalties in this Province, made during the continuance of the said Act, shall be utterly null and void and of none effect, unless made at Public Auction to the highest bidder: And whereas Her Majesty's Imperial Government have caused a Survey to be made for a new Line of Road between Quebec and Halifax, to be carried through this Province, and it is desirable that facilities should be given for the settlement of the Lands adjacent to the said Road, by making free Grants of Land to persons settling on the same;*

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That when and so soon as Her Majesty's Home Government shall have caused the contemplated new Road between Quebec and Halifax to be laid out and fixed, and the making of the said Road to be commenced, it shall and may be lawful for His Excellency the Lieutenant Governor, or person administering the Government for the time being, by and with the advice and consent of Her Majesty's Executive Council, to appropriate, as free Grants or Locations, all the ungranted unlocated Wilderness Lands, situate immediately on each side of the said Road, within this Province, for actual settlement, under such restrictions and regulations respecting the settlement and improvement of the Lands thus located or granted, as shall from time to time be made and declared by 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: provided always, that such Grants shall not be made to any person or persons other than for actual and immediate settlement thereon by the person to whom such Grant shall be made; and provided also, that the extent of any Grant or Location so to be made shall not exceed to any individual one hundred acres, nor extend along the side of the said Road more than fifty rods; nor shall more than one free Grant be made to the same individual of Lands on the same Road; nor shall any such Grant be made to any other than natural born or naturalized male subjects of Her Majesty, of the full age of twenty one years; nor shall it be lawful for any Grant or Letters Patent to issue to any person or persons under the provisions of this Act, until the person or persons applying for a Grant of Lands under the provisions of this Act, shall have, under a Location Ticket, to be issued by order of the Administrator of the Government for the time being, by and with the advice of Her Majesty's Executive Council, actually located himself or themselves upon the Land applied for, resided three years thereon, built a Cottage, and cleared ten acres of such Land.

II. And be it enacted, That all Locations, Grants, and Letters Patent, made and issued for Land situate on that part of the said contemplated new Road between Quebec and Halifax, which shall

be within the limits of this Province, under the provisions, restrictions and regulations of this Act, shall be good and valid and sufficient to pass the Estate which such Locations, Grants, or Letters Patent, made in pursuance of the provisions of this Act, purport to grant, any thing in an Act 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, contained to the contrary notwithstanding.*

III. And be it enacted, That this Act shall not come into operation until Her Majesty's Royal approbation be thereunto first had and declared.

[This Act was specially confirmed, ratified and finally enacted by Order of Her Majesty in Council, dated 8th August, 1845, and published and declared in the Province the 17th day of September, 1845.]