

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 69

An Act to quiet the Titles to certain Lands in Fredericton. Passed 14th April 1846.

Whereas His Majesty King George the Fourth did, by Letters Patent, under the Great Seal of the Province of New Brunswick, bearing date the third day of March, in the year of our Lord one thousand eight hundred and twenty eight, and in the ninth year of His Reign, grant to Thomas Pickard, James Balloch, and John Simpson, five several Lots of Land, situate in Fredericton, and being particularly designated, distinguished and described by proper metes and bounds in the said Grant, reference being thereunto had, or the registry thereof in the Office of the Secretary and Register of this Province, will more fully appear: And whereas His said Majesty did, by Letters Patent, under the Great Seal of this Province, bearing date the twenty seventh day of May, in the year of our Lord one thousand eight hundred and thirty, and in the eleventh year of His Reign, also grant to Daniel Ludlow Robinson, a Town Lot, so called, situate in Fredericton, and particularly designated, distinguished and described by proper metes and bounds in the said Grant, reference being thereunto had, or the registry thereof in the Office of the Secretary and Register of this Province, will more fully appear: And whereas His Majesty King William the Fourth did, by Letters Patent, under the Great Seal of this Province, bearing date the sixteenth day of November, in the year of our Lord one thousand eight hundred and thirty one, and in the second year of His Reign, grant to Thomas B. Smith and Amasa Coy, thirty two perches of Land, situate in Fredericton, and particularly designated, distinguished and described by proper metes and bounds in the said Grant to the said Thomas B. Smith and Amasa Coy, reference being thereunto had, or the registry thereof in the Office of the Secretary and Register for the Province, will more fully appear: And whereas His said Majesty King William the Fourth did, by Letters Patent, under the Great Seal of this Province, bearing date the twenty third day of January, in the year of our Lord one thousand eight hundred and thirty three, and in the third year of His Reign, also grant to John S. Saunders, three roods and eleven perches of Land, situate in Fredericton, and particularly designated, distinguished and described by proper metes and bounds in the said Grant to the said John S. Saunders, reference being thereunto had, or the registry thereof, will more fully appear: And whereas His said Majesty King William the Fourth did, by Letters Patent, under the Great Seal of this Province, bearing date the twenty first day of April, in the year of our Lord one thousand eight hundred and thirty seven, and in the seventh year of the Reign, also grant to William Needham Akerley, one rood and eighteen perches of Land, situate in Fredericton, and particularly designated, distinguished and described by proper metes and bounds in the said Grant to William Needham Akerley, reference being thereunto had, or the registry thereof in the Office of the Secretary and Register of the Province, will more fully appear: And whereas His said Majesty King William the Fourth did, by Letters Patent, under the Great Seal of this Province, bearing date the twenty first day of April, in the year of our Lord one thousand eight hundred and thirty seven, and in the seventh year of His Reign, also grant to William J. Bedell, one rood and eight poles of Land, situate in Fredericton, and particularly designated, distinguished and described by proper metes and bounds in the said Grant, reference being thereunto had, or the registry thereof in the Office

of the Secretary and Register of this Province, will more fully appear: And whereas his said Majesty King William the Fourth did, by Letters Patent, under the Great Seal of this Province, bearing date the twenty fifth day of April, in the year of our Lord one thousand eight hundred and thirty seven, and in the seventh year of His Reign, also grant to Francis E. Beckwith, one acre and two roods of Land, situate in Fredericton, and particularly designated, distinguished and described by proper metes and bounds in the said Grant, reference being thereunto had, or the registry thereof in the Office of the Secretary and Register of the Province, will more fully appear: And whereas His said Majesty King William the Fourth did, by Letters Patent, under the Great Seal of this Province, bearing date the twenty fifth day of April, in the year of our Lord one thousand eight hundred and thirty seven, and in the seventh year of His Reign, grant to Thomas Pickard, two roods and sixteen perches of Land, situate in Fredericton, and particularly designated, distinguished and described in the said Grant, reference being thereunto had, or the registry thereof in the Office of the Secretary and Register of this Province, will more fully appear: And whereas His said Majesty King William the Fourth did, by Letters Patent, under the Great Seal of this Province, bearing date the twenty fifth day of April, in the year of our Lord one thousand eight hundred and thirty seven, and in the seventh year of His Reign, also grant to Thomas T. Smith, one rood and eight perches of Land, situate in Fredericton, and particularly designated, distinguished and described by proper metes and bounds in the said Grant, reference being thereunto had, or the registry thereof in the Office of the Secretary and Register of this Province, will more fully appear : And whereas His said Majesty King William the Fourth did, by Letters Patent, under the Great Seal of this Province, bearing date the twenty fifth day of April, in the year of our Lord one thousand eight hundred and thirty seven, and in the seventh year of His Reign, also grant to Abraham T. Coburn, one rood and eight poles of Land, situate in Fredericton, and particularly designated, distinguished and described by proper metes and bounds in the said Grant, reference being thereunto had, or the registry thereof in the Office of the Secretary and Register of this Province, will more fully appear: And whereas Her present Majesty Queen Victoria did, by Letters Patent, under the Great Seal of this Province, bearing date the third day of April, in the year of our Lord one thousand eight hundred and forty, and in the third year of Her Reign, also grant to James Tibbetts, one rood and eight poles of Land, situate in Fredericton, and particularly designated, distinguished and described by proper metes and bounds in the said Grant, reference being thereunto had, or the registry thereof will more fully appear: And whereas also His late Majesty King George the Third did, by Letters Patent, under the Great Seal of this Province, bearing date the ninth day of May, in the year of our Lord one thousand eight hundred, and in the fortieth year of His Reign, grant unto the Rector, Church Wardens and Vestry of Christ Church, in the Parish of Fredericton, and their Successors for ever, a lot or tract of Land, situate in the Town Plat of Fredericton, and then occupied as a Burying Ground; and also the lot or piece of Ground on which Christ Church, as the Parish Church of Fredericton aforesaid, then stood and now stands, with a space of Ground surrounding the same on the tract reserved for a Common, and other public uses, in front of block number eleven, in the said Town Plat, as particularly designated, distinguished and described by proper metes and bounds in the said Grant, reference being thereunto had, or to the registry thereof in the Office of the Secretary and Register of this Province, will more fully appear: And whereas also His Majesty King George the Third did, by Letters Patent, under the Great Seal of this Province, bearing date the first day of December, in the year of our Lord one thousand eight hundred and ten, and in the fifty first year of His Reign, grant unto the Rector, Church Wardens and Vestry of Christ Church, in

the Parish of Fredericton, and their Successors for ever, three certain lots or blocks of Land, containing in the whole ten acres two roods and thirty one perches, more or less, situate, lying and being near the south westerly bank of the River Saint John, at the north west end of part of the Town Plat of Fredericton, in the County of York, and particularly designated, distinguished and described by proper metes and bounds in the said Grant, reference being had thereunto, or the registry thereof in the Office of the Secretary and Register of this Province, will more fully appear: And whereas His Majesty King George the Fourth, by Letters Patent, under the Great Seal of this Province, bearing date the twenty third day of August, in the year of our Lord one thousand eight hundred and twenty, grant to Anthony Lockwood, one rood and thirteen perches of Land, being particularly designated, distinguished and described by proper metes and bounds in the said Grant, reference being thereunto had, or the registry thereof in the Office of the Secretary and Register of the Province, will more fully appear: And whereas His said Majesty King George the Third did, by Letters Patent, under the Great Seal of this Province, bearing date the seventeenth day of May, in the year of our Lord one thousand eight hundred and seventeen, and in the fifty seventh year of the Reign of His said Majesty King George the Third, grant to Richard Winter, one rood and twelve perches of Land, being particularly designated, distinguished and described by proper metes and bounds in the said Grant, reference being thereunto had, or the registry thereof in the Office of Secretary and Register of the Province, will more fully appear: And whereas Her present Majesty Queen Victoria did, by Letters Patent, under the Great Seal of this Province, bearing date the ninth day of January, in the present year of our Lord one thousand eight hundred and forty six, and in the ninth year of Her Reign, grant to the Right Reverend John, the Lord Bishop of Fredericton, and his Successors, all that piece or parcel of Land, situate in Fredericton, lying between Brunswick Street and the River Saint John, and commonly called the Church Green, and particularly designated, distinguished and described by proper metes and bounds in the said Grant, for the purpose of erecting a Cathedral thereon, and with a proviso therein contained, that no other building or erection, other than the said Cathedral, should be erected or set up thereon, reference being thereunto had, or the registry thereof in the Office of the Secretary and Register of the Province, will more fully appear: And whereas the said several pieces and parcels of Land contained in the said several Grants above mentioned, are all situate in front of the Town Plat of Fredericton, as described in the Grant to Cornelius Akerman and others, and form part of the Land reserved for a Common and other public uses: And whereas doubts have recently been started as to the titles of the aforementioned Grantees to the Lands specified in the said Grants, and the right of the Crown to grant any of the Land reserved in Fredericton, has been questioned: And whereas common justice to the individual purchasers and their assigns, as well as the peace and quiet of the inhabitants of Fredericton, alike require that all such doubts should be removed, and any question of the validity of their titles for ever set at rest and quieted;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the said several Grants above mentioned, and each and every of them, shall be good, valid and effectual for all the purposes therein severally contained, and shall be deemed to operate against all persons whatever, according to the terms and conditions of such Grant, and subject alone to the provisoes and conditions therein contained; and all Courts of Law and Equity shall, and they are required, in all suits, actions or controversies in any way relating thereto, to presume that the

title to the land specified in each and every of the aforementioned Grants, was in the Crown at the time of the issuing of such Grant, and thereby regularly and legally granted and aliened.

II. And be it enacted, That this Act shall be construed liberally for the purpose of effecting the objects for which it was enacted.