

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 70

An Act to encourage the building of a Steamer to run between the Great Falls and the River Saint Francis, on the Upper Saint John. Passed 14th April 1846.

Whereas a Petition has been presented to the General Assembly of this Province from James Drake, of the City of Fredericton, in the County of York, praying for an exclusive privilege for the term of five years, to be granted to him by an Act of the General Assembly of this Province, as an encouragement for the erection of a Passage and Freight Boat to be worked by Steam, for the accommodation and conveyance of Passengers and Freight between the Grand Falls and the upper part of the River Saint John: And whereas a Steam Boat for the accommodation and conveyance of Passengers and Freight between the Grand Falls and the upper part of the River Saint John, is much wanted, and will add greatly to the facility of the communication

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the said James Drake, upon good and sufficient security being given to Her Majesty, Her Heirs and Successors, by Bond, by the said James Drake, in the penal sum of two thousand pounds, conditioned to be void on the erection of a good and sufficient Boat to be worked by Steam, competent to the accommodation of one hundred Passengers and thirty tons of Freight, within six months from the passing of this Act, shall so soon as such Boat shall be completed and finished, have, possess and enjoy to himself, his Executors, Administrators and Assigns, the sole right of carrying Passengers and transporting Freight of different kinds in a Boat so to be worked by Steam on the River Saint John, from the Grand Falls upwards, for the term of five years from the passing of this Act; and no other person or persons whomsoever, other than the said James Drake, his Executors, Administrators or Assigns, shall use or employ any Boat or Boats to be worked by Steam above the Grand Falls, aforesaid, and within this Province, for any purpose whatsoever during the said term of five years.

II. And be it enacted, That nothing in this Act contained shall extend or be construed to extend to restrain or in any manner affect the right of any person or persons to carry Passengers and transport Freight in Boats or Vessels of any description whatsoever, not worked by Steam, in like manner as such person or persons might have done, if this Act had not been made.

III. Provided always, and be it enacted, That if the said James Drake shall neglect to enter into and duly execute the said Bond, as required by the first section of this Act, within two months from the time of the passing of this Act, the same shall cease to be of any force or effect.

IV. Provided also, and be it enacted, That whereas such Steam Boat can be made use of during the Summer season only, a list of the rates of the passage money and freight intended to be received and taken during the then next ensuing season, shall within one month before such Boat shall be actually used for the transportation of Passengers and Freight as aforesaid, be published in

one of the public Newspapers in Fredericton and Woodstock; and in case any alteration of such rates to be taken in any subsequent season shall be thought expedient to be made during the enjoyment of the right hereinbefore granted, such alteration shall be in like manner published, one month at the least before the commencement of the season, and that no higher or greater rates shall be taken in any season than such as shall be published to be taken during such season as aforesaid; and that in case such Steam Boat shall be unfit for use, or shall not be ready to be employed for the purposes aforesaid, agreeably to the true intent, and meaning of this Act, during the space of two months in any season after such Steam Boat shall be completed and finished as aforesaid, unless in case of any accident by which the necessary repairs of such Boat shall require longer time to complete the same, then and from thenceforth the said right secured as aforesaid by this Act shall cease, determine, and become null and void.

And be it enacted, That nothing in this Act contained shall extend or be construed to extend to interfere with or diminish any rights granted to the New Brunswick Railway Company by an Act of this present Session of the Legislature, intituled *An Act to incorporate the New Brunswick Railway Company*, any thing in this Act contained to the contrary notwithstanding.