

*Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1847.* Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1847.

10 Victoria – Chapter 76 (1846)

**An Act to facilitate the making of a Railway from the City of Saint John, through Fredericton and Woodstock, to the Grand Falls of the River Saint John, and from thence to the Boundary Line of the Province of Canada, by the New Brunswick Railway Company. Passed 14th April 1846.**

Whereas a Bill to incorporate the New Brunswick Railway Company has been passed by the Legislature of this Province, during its present Session, subject to the Royal sanction: And whereas it is an object of great public importance that a Railway should be established and brought into operation on the line specified in the said Act of Incorporation, and more especially that part of the said line from Fredericton, via Woodstock, to the Grand Falls: And whereas it is deemed expedient to afford every facility and encouragement to the said Company, as an inducement to establish and bring into operation the said Railway, so soon as the same can be accomplished, and in the first place that part of the said line from Fredericton to the Grand Falls, via Woodstock;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice of Her Majesty's Executive Council, is hereby fully authorized and empowered to grant unto the said New Brunswick Railway Company, their successors, deputies, agents, and assistants, full right to enter and go in and upon the ungranted lands and grounds of Her Majesty of all and every description, lying in the said route or line of the said Railway, or of any of its Branches that may be hereafter established, for the purpose of making surveys, examinations, or other necessary arrangements for fixing the site of the said Railway, or any of its Branches, through and upon such ungranted lands of Her Majesty; and it shall and may be lawful for the said Lieutenant Governor or Administrator of the Government for the time being, by and with the advice aforesaid, and he is fully authorized and empowered to grant unto the said Company so much of the Crown Lands, aforesaid as may be necessary for the laying out, making and constructing, and convenient operation of the said Railway, and also to grant to the said Company the right to take, remove, and use, for the necessary construction and repair of the said Railway, its Branches, Station Houses and appurtenances, any earth, gravel, stone, timber, or other materials on or from the Crown Lands in this Province, free from any duties or charges therefor.

II. And be it enacted, That the said Lieutenant Governor or Administrator of the Government for the time being, by and with the advice aforesaid, be and he is hereby authorized and empowered to grant to the said Company, free of any charge for the same, except the expense of the survey, such quantity of the vacant Crown Lands as the said Company may require to lay down the Railway Track, Station House and Depots: Provided always, that any lands which may be granted to the said Company under and in pursuance of this Act, shall be held and taken to be granted on the express condition of the completion of the said Rail Road, according to the terms of this Act; and if not so completed, the grant or grants thereof shall become null and void, and shall revert to the Crown as fully to all intents and purposes as if no such grant or grants of land had been made.

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III. And be it enacted, That so soon as that part of the contemplated line which lies between Woodstock and the Grand Falls shall be completed, and in efficient operation or the transpiration of passengers and merchandize, the said Company shall receive annually from the Province Treasurer, for the term of seven years, to be computed from the time of such completion, the sum of three thousand seven hundred and fifty pounds, to be paid by Warrant of His Excellency the Lieutenant Governor or Administrator of the Government for the time being, who is hereby authorized and required, by and with the advice of Her Majesty's Executive Council, to grant his Warrant annually for the same; the first annual payment to be made within one month from the time of such Railway being completed and in operation as aforesaid; provided that during every year for the said seven years, the said line be efficiently kept up for the transportation of passengers and merchandize; and that so soon as the part of the line which lies between Woodstock and Fredericton be also completed and in full operation, as hereinbefore mentioned in reference to that part of the line which lies between Woodstock and the Grand Falls, the said Company shall also annually receive from the Province Treasurer, on the like Warrant of the Lieutenant Governor, by and with the advice aforesaid, a like sum of three thousand seven hundred and fifty pounds for seven years, to be computed as aforesaid, upon the fulfilment of the provisions prescribed as aforesaid for the last mentioned line between Woodstock and Grand Falls.

IV. 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 an Order of Her Majesty in Council, dated the 19th day of December, 1846, and published and declared in the Province the 3d day of February 1847.]