

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1850. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1850.

13 Victoria – Chapter 73 (1849)

An Act for the adjustment of claims of certain purchasers of Crown Lands. Passed 14th April 1849.

Whereas between the years one thousand eight hundred and thirty two and one thousand eight hundred and thirty eight, several tracts of vacant Crown Land in this Province were sold in parcels exceeding five hundred acres, to persons who made large payments on account of such purchases, but have riot paid the balance due thereon: And Whereas it is highly desirable that a final settlement should be made with those several persons, upon just and equitable principles, and such relief should be granted to them respectively as their cases may appear to require;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That in all cases of sales of Crown Lands between the first day of January one thousand eight hundred and thirty two and the thirty first day of December one thousand eight hundred and thirty seven, to individuals, (in parcels exceeding five hundred acres,) upon which one or more instalments have been paid, and where the lands so sold and purchased have since been relinquished by the purchaser or purchasers, or parties interested; and where any such purchaser or purchasers, his or their assigns or legal representatives, may apply by petition for a compensation in lands for the amount of instalments actually paid at the original price agreed on for the same, it shall and may be lawful to and for the Lieutenant Governor or Administrator of the Government for the time being, to direct an inquiry to be made of the claims of each and every such petitioner or petitioners; and if it shall be made to appear that any of the said parties petitioning have an equitable claim to consideration, by reason of the amount actually paid on such purchase, then and in such case it shall and may be lawful to and for the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice of the Executive Council, to order and direct a Grant of Crown Lands to issue to such individual or individuals, of so many acres as the instalments so paid as aforesaid would amount to at the original price bidden for the lands by them originally purchased as aforesaid; all costs of survey of the lands so to be granted, and all other expenses, to be first paid by the party to whom such Grants are directed to be issued; such survey to be made under the direction of the Surveyor General; provided always, that such Grants shall be made of portions of the land originally purchased, where the same shall be vacant, and where any part of such lands are not vacant, then of such lands as may be selected by the individual to whom such Grant is intended to be made; and provided also, that all allowances for timber cut off the said lands, or otherwise, be first deducted from the amount for which such Grant shall be made.

II. And be it enacted, That this Act shall not be in force until Her Majesty's Royal approbation be thereunto had and declared.

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[This Act was specially confirmed, ratified and finally enacted by an Order of Her Majesty in Council, dated the 18th day of July, 1849, and published and declared in the Province the 8th day of August, 1849.]