

*Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1860.* Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1860.

23 Victoria – Chapter 50

**An Act relating to certain Lands of the War Department. Passed 9th April 1860.**

Section.

Preamble.

1. Described tracts of Land in Parish of Grand Falls, reinvested in Her Majesty.

Section.

2. Deed recited in Preamble may be Registry Office of Victoria County.

Whereas the Right Honorable Sidney Herbert, then being Her Majesty's Principal Secretary of State for the War Department, did by Deed poll bearing date the nineteenth day of January in the year of our Lord one thousand eight hundred and sixty, sealed with his seal, grant, alien, release, surrender, and yield up to Her Majesty Queen Victoria, all those certain tracts of Land therein and hereinafter described, situate in the Parish of Grand Falls, in the County of Victoria, which Deed poll was signed and sealed in presence of Charles Matthew Clode, and R. H. Forman, one of which witnesses, R. H. Forman, professed to prove the said signing and sealing before John Carter, the Lord Mayor of the City of London, in that part of the United Kingdom of Great Britain and Ireland called England, but not in the mode prescribed by Law for the proof of the execution of Deeds—by reason whereof it cannot be registered in this Province: And whereas the Lands described in the said Deed form a portion of several tracts of Land granted by Letters Patent under the Great Seal of this Province, bearing date the twenty third day of April in the year of our Lord one thousand eight hundred and forty five, to the Principal Officers of Her Majesty's Ordnance, which by an Act made and passed in the nineteenth year of the Reign of Her present Majesty Queen Victoria, intituled *An Act for transferring to one of Her Majesty's Principal Secretaries of State*, the powers and estates vested in the Principal Officers of the Ordnance, were transferred to, and vested in, and exercisable by Her Majesty's Principal Secretary of State for the time being, to whom Her Majesty should think fit to entrust the Seals of the War Department, and which Her Majesty has been most graciously pleased, by the Despatch of the Right Honorable E. B. Lytton, then being Her Majesty's Principal Secretary of State for the Colonies, bearing date the seventeenth day of August in the year of our Lord one thousand eight hundred and fifty eight, addressed to His Excellency the Lieutenant Governor of this Province, to signify Her assent to transfer to this Province for the public use thereof; and it is necessary to confirm the surrender thereof to Her Majesty for the use of the Province;—

Be it therefore enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. All those certain tracts or parcels of Land situate in the Parish of Grand Falls, in the County of Victoria, and Province aforesaid, abutted and bounded as follows: The first tract beginning at the line of low water mark on the westerly bank or shore of the upper basin of the River Saint John, at a point where an easterly line of lot C in the Town Plat of Colebrooke, granted to the Principal

Officers of Her Majesty's Ordnance, strikes the same; thence running by the magnet of the year one thousand eight hundred and forty five, south four degrees and thirty minutes west eight chains and twenty five links, along said line of said grant, or to a post standing on the northern line of lot B; thence south seventy degrees west five chains, or to a post standing on a westerly line of said lot C; thence along the same north four degrees and thirty minutes east two chains and seventy five links, or to a post standing in the southeasterly angle of lot D, also granted to the Principal Officers of Her Majesty's Ordnance; thence along the southern line thereof north eighty five degrees and thirty minutes west six chains and seventy one links, or to a post standing in the southwesterly angle of said lot D; thence along the westerly line thereof north four degrees and thirty minutes east six chains and seventy one links, to a post standing in the northwesterly angle thereof; thence along the northerly line of the same south eighty five degrees and thirty minutes east six chains and seventy one links, to a post standing on the aforesaid westerly line of lot C; thence along the same north four degrees and thirty minutes east one chain and twenty five links, or to the line of low water mark above mentioned, and thence following the various courses of the same down stream to the place of beginning; containing eight acres and two roods, more or less—distinguished as lot D and a northern part of lot C in the Town Plat of Colebrooke, and including the small Island lying in the said upper basin in front of said lot C: The second tract beginning at a point where the southerly line of lot B above mentioned strikes the above mentioned easterly line of lot C; thence south four degrees and thirty minutes west seven chains, or to a post; thence south twenty nine degrees and thirty minutes east twenty one chains, along another easterly line of lot C, or to the line of low water mark on the westerly bank or shore of the lower basin of the River Saint John above mentioned; thence following the various courses of the same down stream in a westerly direction four chains and seventy five links, or to a westerly line of said lot C; thence along the same north twenty nine degrees and thirty minutes west twenty two chains, or to a post; thence north four degrees and thirty minutes east six chains, along the westerly line of said lot C first above mentioned, or to a post; and thence north seventy degrees east five chains, or to the place of beginning; containing nine acres more or less—distinguished as a southern part of lot C: The third tract beginning at the line of low water mark on the southerly bank or shore of the upper basin of the River Saint John above mentioned, at a point where the most westerly line of lot E, granted to the Principal Officers of Her Majesty's Ordnance strikes the same; thence south twelve degrees east, one chain; thence south eighty four degrees east four chains and forty links; thence south sixty nine degrees and thirty minutes east three chains and twenty five links; thence south fifty five degrees and thirty minutes east two chains and fifty five links, to a post; thence south twenty degrees east four chains, or to the northern line of lot B above mentioned; thence along its easterly prolongation north seventy degrees east six chains and thirty links, or to the line of low water mark of the westerly bank or shore of the River Saint John above mentioned; thence following the various courses of the same up stream in a northwesterly direction, passing the mill site, crossing the outlet from the sluiceway to a rock, thence around the outer edge of the same, and across the westerly end of the sluiceway to the last mentioned line of low water mark, and thence along the same again up stream in a westerly direction to the place of beginning; containing two acres more or less—distinguished as a northern part of lot E in the Town Plat of Colebrooke aforesaid, and including the mill site, sluiceway, and rock above mentioned: The fourth tract beginning at a point where the easterly prolongation of the southerly line of said lot B strikes the line of low water mark of the westerly bank or shore of

the River Saint John above mentioned; thence along said prolongation south seventy degrees west three chains and thirty links, or to a post standing in a northern angle of a common for the benefit and use of the inhabitants generally for ever; thence south forty three degrees east five chains; thence south eighty two degrees east two chains and sixteen links; thence south twenty six degrees and fifteen minutes west two chains and seventy five links; thence south thirty nine degrees west two chains and fifty links; thence south one degree and thirty minutes east three chains and forty eight links; thence south forty two degrees and forty five minutes east one chain and ninety links; thence south twenty degrees west four chains and fifty links ; thence south fifty degrees west three chains and two links; thence south one degree east two chains and fourteen links; thence south eighty one degrees east two chains and seventy four links; thence south eighty four degrees and thirty minutes east three chains and fifty links; thence south thirty seven degrees east six chains and seventy two links, passing a post standing on the line of high water mark, or to the line of low water mark of the westerly bank or shore of the River Saint John above mentioned; and thence following the various courses of the same up stream, in a northerly direction, to the place of beginning; containing three acres more or less—distinguished as a southern part of lot E: the said four tracts containing together twenty two acres and two roods, more or less—and the whole estate therein and the title thereto shall revert to and vest in Her Majesty Queen Victoria, for the use of this Province, in the same manner and as fully to all intents and purposes as if no Grant thereof had ever issued to the respective Officers of the Ordnance; and Her Majesty Queen Victoria shall be restored to Her original and former estate in and title to the said land, to all intents and purposes, fully and absolutely without let or hinderance from any person whatever.

2. The Deed poll heretofore referred to may, without further proof, be registered in the office of the Register of Deeds for the County of Victoria, with the like force and effect as if it had been legally executed.