

*Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1866.* Fredericton, NB: G. E. Fenety, Printer to the Queen's Most Excellent Majesty, 1866.

29 Victoria – Chapter 61 (1865)

**An Act to authorize the exchange of certain Public Lands in the City of Fredericton.  
Passed 8th June 1865.**

Section.

1. Land to be exchanged.
2. War Department not to erect buildings.
3. Land to be vested in Corporation in lieu of the above.

Section.

4. Improvements by Corporation confined to Wharves, &c.
5. Amount to be expended by War Department.
6. Suspending clause.

Whereas the citizens of Fredericton and the War Department have agreed to exchange certain Lands in the City of Fredericton, upon the terms hereinafter mentioned;---

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

1. The triangular piece of Land in the said City, bounded easterly by a straight line running from the easterly angle of the Officers' Barrack Square, so called, to the centre of the Willow Tree situate near the upper boundary of Regent Street landing, and on the northeasterly line of the enclosure in front of the said Officers' Barracks, is hereby vested in Her Majesty's Principal Secretary of State for the War Department.
2. It shall not be lawful for Her Majesty's said Principal Secretary of State, or for the War Department, to build, erect, or place on any part of the Land described in and transferred by the preceding Section, any building or erection, except a fence and ornamental trees.
3. The Land described as follows, to-wit:—All the Land lying northeasterly of the present Barrack fence between the head of the landing at Regent Street and the Public Wharf at the termination of York Street, is hereby vested in the Mayor, Aldermen and Commonalty of the City of Fredericton, in fee simple, for the use of the said City.
4. It shall not be lawful for the Mayor, Aldermen and Commonalty for the said City of Fredericton, at any time to put, place, erect, or build any building or erection on any part of the Land described in the third Section of this Act; but all improvements made thereon by the said Mayor, Aldermen and Commonalty, shall be confined to constructing wharves, landings, and roads, all of which shall be available for Her Majesty's use, whenever so required, free of charge.

5. The sum of one hundred sovereigns shall be expended by the War Department, for the purpose of securing in the first place the present fence between the Willow Tree aforesaid and York Street aforesaid; and in the second place, to assist in improving the Land hereby conveyed to the said Mayor, Aldermen and Commonalty, by wharfing or otherwise, as shall be agreed upon by and between Her Majesty's Principal Secretary of State for the War Department, and a Commissioner to be appointed by the said Mayor, Aldermen and Commonalty for that purpose.

6. 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 third day of November 1865, and published and declared in this Province the thirteenth day of December 1865.]