

ANNO DECIMO VICTORIÆ REGINÆ.

CAP. LXXXV.

An Act to facilitate the making of a Railway across the Isthmus which connects the Provinces of New Brunswick and Nova Scotia, to open the communication between the Waters of the Gulf of Saint Lawrence and the Bay of Fundy.

Passed 14th April 1847.

Preamble.

WHEREAS the facilities for travelling and the transportation of merchandize afforded by Rail Roads are necessary to the developement of the commercial resources of the Province: And whereas private Companies, organized for the purpose of constructing Rail Roads, are entitled, by the public advantages accruing from their labours, to Legislative encouragement; and the Company incorporated by an Act of the General Assembly made and passed, during the present Session, intituled *An Act to incorporate the Chignecto Railway Company*, is desirous to proceed immediately to construct the Railway aforesaid;

Right granted to enter on the Crown Lands on the route of the Railway, and also to take fuel and materials for its use.

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 and consent of Her Majesty's Executive Council, be and he is hereby authorized and empowered to grant unto the Chignecto Railway Company, and the said Company are hereby invested with the right, by their agents, servants, and workmen, to enter and go in and upon the Crown Lands lying in the route or line of the contemplated Railway, for the purpose of making examinations, surveys, and other necessary arrangements; and also for the construction and repair of the said Railway across the Isthmus which connects the Provinces of New Brunswick and Nova Scotia, and the Branches connected with the said Railway, its several Station Houses and Depots, and for fuel for the use of the Engines, Station Houses and Depots belonging thereto and the said Branches, to dig for, take, remove and use any earth, gravel, stone, timber, wood, or other matter, under, on or from the Crown Lands contiguous to the Railway, free from any duties or charges therefor.

Certain portions of Crown Lands to be granted for the Rail Road track and depots.

II. And be it enacted, That it shall and may be lawful for the said Lieutenant Governor or Administrator of the Government for the time being, by and with the consent aforesaid, and he is hereby fully authorized and empowered to grant unto the said Company, without pecuniary consideration, from the vacant Crown Lands, a belt or strip of such part of the Crown Lands as the said contemplated Railway and the said Branches may pass over and through; the said belt or strip to extend two hundred feet on both sides of the track of the Railway, measured from the centre thereof, and also additional pieces or parcels of Land severally not exceeding five hundred feet in length and three hundred feet in breadth, measured along and at right angles to the line of the said belt or strip of land, at such points and at distances from each other not less than five miles, as may be necessary, and the said Company may select and determine.

Grants and privileges to revert, if the Rail Road be not completed within ten years.

III. Provided always, and be it enacted, That if the said contemplated Railway shall not be completed and in full operation within the space of ten years from the time this Act shall come into operation, all and every the said grants of Land, and the rights and privileges conferred by this Act, shall be utterly null and void, and the Land and privileges shall revert to and revest in Her Majesty as fully as if no grant had been made or rights and privileges conferred.

Faith of the Province pledged to make up any deficiency in an annual profit of five per cent. on Capital, not exceeding £25,000.

IV. 'And in order to encourage the investment in the said undertaking of private capital;' Be it enacted, That from and after the time when the said contemplated Railway shall be completed and in efficient operation with substantial and sufficient locomotive cars, carriages, and other vehicles propelled by steam, for the accommodation of passengers and the transportation of merchandize, the faith and credit of this Province shall stand pledged to the said Company to make up and pay any deficiency of the clear profits arising from the traffic of merchandize and passengers, and otherwise, on the said contemplated Railway, and the said Branches, whereby the said Company may realize a less annual profit or interest than five per centum on such capital sum, not exceeding twenty five thousand pounds, as may be invested in the said undertaking.

Authority given to issue a Warrant on the Treasury, on a certificate of deficiency.

V. And be it enacted, That when and for each and every year during the continuance of this Act, not exceeding ten years, that it shall be certified by persons appointed for that purpose by His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent aforesaid, that the said contemplated Railway has been in efficient operation as aforesaid, for the period of one year from the date of its being finally opened, or from the date of the next previous certificate in each year after the first year, and that for the year for which the certificate is granted the whole