

net proceeds and earnings of the said Company from the said traffic on the said contemplated Railway, after all actual and necessary contingent and annual expenses have been deducted, are insufficient to cover and pay the said annual profit or interest of five per centum on the capital sum, not exceeding twenty five thousand pounds, invested as aforesaid, and are deficient in a certain sum to be specified in the certificate of the persons to be appointed as aforesaid; it shall and may be lawful for His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent aforesaid, to issue a Warrant under his Hand and Seal on the Provincial Treasury for the payment to the said Company of the sum so certified to be deficient; which Warrant the Treasurer of the Province is hereby required to pay in the regular course out of the monies then in the Treasury, or as payments may be made at the same; provided always, that unforeseen casualties, by which temporary suspensions of the traffic of, and travelling on the said contemplated Railway, not involving neglect on the part of the said Company, shall not be deemed sufficient to authorize the persons so appointed as aforesaid to withhold their certificate, and thereby prevent the payment of the sum necessary to make up such deficiency as aforesaid, that may occur in the year in which the casualties may take place; it being the true intent and meaning of this Act, that the said Company shall realize and receive as a clear profit arising from the net profits, or from the net profits and sum to be paid by the Province jointly, a rate of interest equal to five per centum on such capital sum, not exceeding twenty five thousand pounds, as may be invested in the said contemplated Railway and its said Branches, during each and every year, not exceeding ten years in the whole, that the said contemplated Railway shall be in efficient operation as aforesaid.

VI. And be it enacted, That this Act shall not come into operation or be in force until Her Majesty's Royal approbation be thereunto first had and declared.

Act suspended until Her Majesty's approbation be declared.

[This Act was specially confirmed, ratified, and finally enacted, by an Order of Her Majesty in Council, dated the 22d day of July, 1847.]

CAP. LXXXVI.

An Act to authorize the granting of a tract of Land, as a Mill Reserve, to the Honorable John Robertson.

Passed 14th April 1847.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That, any law, usage or custom to the contrary notwithstanding, it shall and may be lawful for His Excellency the Lieutenant Governor or the Administrator of the Government for the time being, by and with the consent and advice of Her Majesty's Executive Council, by private sale, without auction or public competition, on such terms as they in their discretion may deem reasonable, and at the rate of ten shillings per square mile, to grant to the Honorable John Robertson, of Saint John; Merchant, his executors, administrators or assigns, for a term of five years, and no longer, a certain tract of vacant Crown Lands, as and for a Mill Reserve, situate in the County of Kent, in this Province, and abutted and bounded as follows, that is to say: Beginning at the Mouth of Nevers' Brook, Little Fork Stream of Salmon River; thence up said Nevers' Brook, to the line between ranges number sixteen and number seventeen, at a marked Maple Tree; thence due north, four hundred and fifty chains, to a marked Spruce; thence due east, four hundred and four chains, to a Maple; thence south, forty nine degrees east, four hundred and thirty eight chains, to a marked Yellow Birch; thence south, forty five degrees west, two hundred and eighty chains; thence north, forty five degrees west, eighty chains; thence south, sixty degrees west, two hundred and forty five chains; and thence west one hundred and twenty chains, to the place of beginning; and containing twenty seven thousand acres, be the same more or less: Provided that nothing in this Act shall extend or be construed to extend to the granting of any reserve of Crown Lands by private sale under the provisions of this Act the Timber and Logs growing within one mile of the banks of any Streams which empty into the Waters of the Gulf of Saint Lawrence; and provided also, that nothing herein contained shall extend or be construed to extend to authorize the said Honorable John Robertson, his executors, administrators or assigns, to have, hold, occupy and use the said tract of land otherwise than as a reserve for the cutting of Logs for the use of his Mills at Saint John.

Governor in Council authorized to grant to the Hon. John Robertson a described tract of Land, as a Mill Reserve, for the period of five years.

II. And be it enacted, That this Act shall not be or come into force or effect until Her Majesty's Royal assent shall be thereto had and declared.

Act suspended until Her Majesty's assent be declared.

[This Act was specially confirmed, ratified, finally enacted by an Order of Her Majesty in Council, dated the 22d day of July, 1847.]