

construction of the *European and North American Railway*, which Act has been approved and allowed by Her Majesty, has hereunto set his Hand, and affixed his Seal of Office, at Fredericton, in the Province of New Brunswick, this — day of —, A. D. 185

(Signed)

Countersigned by the }
Provincial Treasurer. }

[*This Act was specially confirmed, ratified and finally enacted by an Order of Her Majesty in Council, dated the 15th day of June 1852.*]

CAP. XLII.

An Act further to facilitate the construction of the *European and North American Railway*.

Passed 30th April 1851.

After a specified progress made in the construction of the Railway, the Company may survey and Executive Government grant to the Company or their assigns, the Crown Lands contiguous to the line, to the extent of five miles on each side thereof.

Grants voidable for want of improvement.

Certain lands exempted.

Act not to preclude the granting of Licences to cut Timber, or grants to actual settlers, previous to the survey.

Limitation of Act.

Act suspended till H. Majesty's approbation be declared.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That when the Line of Railway contemplated by the Act of Assembly made and passed during the present Session of the Legislature, intituled *An Act to incorporate the European and North American Railway Company*, shall be surveyed and located, and a sum not less than one hundred thousand pounds shall actually have been expended towards the construction of the said Railway, it shall be lawful for the said Company, at their own proper costs and charges, and under the supervision of the Surveyor General of this Province, to survey and lay out all the ungranted Crown Lands contiguous to and within five miles of each side of the said Line of Railway, in lots of one hundred acres or less, as the said Company may think most for the interest of the said Company; which said lands so surveyed, or any of them, the Lieutenant Governor, by and with the advice of the Executive Council, shall be and is hereby authorized to grant in fee simple to the said Company, or to any individual stockholder as the said Company under their seal may direct, free from any charge save and except the expense of survey as aforesaid; provided nevertheless, that such lands are to be held on the express condition, that unless five per cent. of the actual quantity so to be granted either to the Company or to individual stockholders, be brought into actual cultivation within five years from the date of the said grants respectively, then the said grants shall become forfeited, and the lands revert to and become reinvested in the Crown, as if no such grants had been made; provided also, that no one stockholder shall receive more than one acre of land for every one pound currency actually paid in by him to the said Company; provided also, that no Crown Lands which may be within five miles of the Saint Andrews and Quebec Line of Railway, or within ten miles of the proposed Line of Railway from Halifax to Quebec, shall be by virtue of this Act granted as aforesaid.

II. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to prevent the Executive Government from granting Licences to cut Logs and Timber upon the Wild Lands coming within the meaning of this Act, or to prevent the Government from granting lands for actual settlement, until the actual survey has been made under this Act, or at any time to prevent the Government from making any equitable condition which the Government may deem right, in favour of squatters upon such lands, on the granting of the same.

III. And be it enacted, That this Act shall be and continue in force for five years from the passing thereof, and no longer.

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

[*This Act was specially confirmed, ratified and finally enacted by an Order of Her Majesty in Council, dated the 15th day of June 1852.*]