

BY AUTHORITY.

ANNO DECIMO QUINTO VICTORIÆ REGINÆ.

CAP. LXVIII.

An Act to settle and secure the Title to certain Lands in the County of Kent.

Passed 7th April 1852.

‘ WHEREAS by Letters Patent under the Great Seal of the Province of New Brunswick, dated the sixth day of December in the year one thousand seven hundred and ninety three, certain Lands now in the County of Kent were granted to Pierre Richard and others as joint tenants: And whereas the occupiers and owners of the said Lands, representing themselves to be the owners thereof, during the last Session of the Legislature applied by Petition to the House of Assembly for an Act to settle their several Titles, which Petition was referred to a Select Committee of the said House, who made a Report, of which the following is a copy, that is to say:—“ The Select Committee to whom was referred the Petition of Olivier Richard, Fabien D’Aigle, Fabien Richard, Simeon Thibideau, Joseph Richard, Simeon LeBlanc, and fifty two others, French inhabitants, residing on the south side of the Richibucto River, in the County of Kent, setting forth that in the month of June in the year of our Lord one thousand seven hundred and ninety one, Pierre Richard, Pierre Legere, Paul Babineau, Joseph Richard, Francois Richard, Michael Richard, Jean Baptiste Landry, Jean Richard, Senior, Jean Richard, Junior, Charles Maillet, David Thibideau, Basile Richard, Jean Richard, Joseph Richard, Junior, Pierre Gouelle, and Pierre Arsineau, natives of Canada, the ancestors and original proprietors of the Lands on which the Petitioners now live, petitioned Sir Thomas Carleton, the then Lieutenant Governor and Commander in Chief of the Province of New Brunswick, setting forth that they were natives of Canada, and settled there, occupied Lands whereon they could not make a living, that they desired to enjoy the privileges allowed to British subjects in this Province in holding their Lands from the King, and having come to Richibucto in search of situations, where they had found Lands to accommodate them, prayed His Excellency to grant them Lots on the Richibucto River, and to order the same to be laid out for them, as by a copy of the original application annexed to their Petition more fully appears; that in the month of October one thousand seven hundred and ninety one it was ordered in Council that such application should be complied with, the lands to be surveyed at the expense of the applicants; that the Petitioners were informed and believed that a survey was made of the out boundings in question by an officer under the control and direction of the then Surveyor General of Crown Lands, and that the applicants being unlearned persons, unacquainted with the law of New Brunswick or the nature of its Grants, and consequently ignorant of that survey which was requisite to define their respective rights, and implicitly trusting to the wisdom and care of His Excellency and Council, and the Surveyor General, to do what was necessary to ascertain and establish their rights, and to give them their respective Lots agreeably to their Petition, paid what was demanded of them for survey by the Surveyor General, and accordingly on the sixth day of December in the year of our Lord one thousand seven hundred and ninety three, a Grant, including Lands to other persons, was issued of the Lands in question, to the applicants and others, their heirs and assigns, being the forefathers, ancestors and persons through whom the Petitioners now claim the same, containing six thousand four hundred acres more or less, situate, lying and being adjoining the Harbour and River of Richibucto, on the Gulf of Saint Lawrence, abutted, bounded and described as in the second Tract named in the extract of the original Grant, and a copy of the original Plan in the Crown Land Office, annexed to their Petition, more fully appears; that the Grant so issued, as it was afterwards discovered by the Grantees, gave no distinct allotments by Plan or otherwise to the applicants, in severalty or portions, by mete bounds or positions, to enable the respective owners to lay off their Lands by the aid of a Surveyor or otherwise, as is usual in such cases; and the original parties entered thereon, occupied and died without any division lines of their respective rights ever having been made between them; that there are now upwards of fifty families on the said Tract, consisting of a population of upwards of five hundred persons living thereon, being the children, grand-children, descendants

Preamble.

Petition to the
Legislature.Report of Select
Committee of
House of Assembly.