

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

1. It shall and may be lawful for the Mayor, Aldermen and Commonalty of the City of Saint John, and they are hereby authorized from time to time to issue "Carleton Water Scrip" to a sum and sums not exceeding in the whole the sum of twenty five thousand dollars in addition to and over and above the several sums now issued and authorized by law.

2. Such additional "Carleton Water Scrip" shall be issued on the requisition of the Commissioners of Water Supply and Sewerage for Carleton, and in the form as provided in the existing law and laws relating to water supply at Carleton, in the said City of Saint John, on the western side of the Harbour, and shall be redeemable in forty years from the passing of this Act, and interest thereon shall be payable in the same manner as is now provided for the payment of interest on the Carleton Water Scrip heretofore issued, and the interest and the final payment of said scrip issued under the authority of this Act shall be secured by assessment in like manner as is now provided for the interest and ultimate payment of the "Carleton Water Scrip" already issued under the existing laws relating thereto.

3. The proceeds of the additional "Carleton Water Scrip" issued under the authority of this Act shall be applied by the said Commissioners for the more effectual carrying out of the provisions of the several Acts of Assembly in force relating to water supply at Carleton aforesaid.

#### CAP. LXXII.

##### An Act to incorporate the Sunbury and Queen's County Railway Company.

Sec.	Sec.
1 Company incorporated; powers, &c. of Company; proviso; in case of disagreement for property, &c. taken by Company, claim how settled; rights of Crown not to be affected.	6 Powers of President, &c. of Company.
2 Guardians of certain persons to have power to arrange with Company for lands, &c.	7 Company to establish tolls.
3 Capital stock; Company to issue Debentures; affairs of Company in whom vested.	8 Company to erect, &c. fences.
4 When first meeting shall be called.	9 Annual meeting when held; vote by ballot; greatest number of votes any shareholder may have.
5 Company to make bye laws.	10 Company may transfer, &c. Railway.
	11 Land, &c. of Railway exempt from taxation.
	12 Stock, &c. exempt from taxation.
	13 Company to commence work within two years.
	Schedules A. and B.

*Passed 8th April, 1874.*

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

1. That John S. Covert, M. P. P., Archibald Harrison, M. P. P., Walter S. Butler, M. P. P., Ebenezer Williams, M. P. P., Charles H. Clowes, Thomas A. Beckwith, Terence M'Elroy, David Morrow, Reuben Hoben, George Grass, R. D. Wilmot, Junior, M. E. Asa Burpee, William M'Lean, Robert Brannen, George Morrow, their associates, successors, and assigns, are hereby made and constituted a body politic and corporate, by the name of "The Sunbury and Queen's County Railway Company," and by that name shall have all the general powers and privileges made incident to a Corporation by Act of Assembly in this Province, and sue and be sued, plead and be impleaded, and shall have and enjoy all proper remedies at law and in equity to secure and protect them in the exercise and use of the rights and privileges, and in the performance of the duties hereinafter granted and enjoined, and to prevent all invasion thereof in exercising and performing the same; and the said Corpora-

tion are hereby authorized and empowered to explore, survey, locate, construct and finally complete, alter and keep in repair, with one or more sets of rails or tracks, with all suitable bridges, tunnels, viaducts, turnouts, culverts, draws, sidings, necessary crossings, and such branches for the efficient working thereof, or as feeders thereto, as may be required, or as they may think proper, and all the necessary appendages, a Railroad from Wassis Station, in the County of Sunbury, to a point at or near the mouth of the Oromocto River in the said County; and also a Railroad from some point at or near the mouth of the said Oromocto River, in the County of Sunbury aforesaid, to the Village of Gagetown in the Parish of Gagetown, in the County of Queen's, and being within the said Province of New Brunswick, whenever the said Company may deem it expedient to do so; and the said Corporation shall be and are hereby invested with all the powers, privileges and immunities which are or may be necessary to carry into effect the purposes and objects of this Act as herein set forth; and for this purpose the said Company shall have the right to enter, purchase, take and hold so much of the land, and other real estate of private persons or Corporations, as may be necessary for the location, construction and convenient operation of the said railroads, and branches thereof; and shall also have the right to take, remove and use for the construction and repair of said railroads and branches thereof, and appurtenances, any earth, gravel, stone, timber or other materials on or from the land so taken, provided however, said lands so taken shall not exceed six rods in width, except where greater width is necessary for the purposes of the railways; and when the said railways shall pass through any woodlands or forests, the said Company shall have the right to fell, remove and use any trees standing thereon within the distance of six rods from either side of the railways, which by their liability to be blown down, or which from naturally falling, might obstruct or impair said railways, or which the said Railway Company may require for the construction of the said railroads; and provided also, that in all cases said Corporation shall pay for such lands, estate or materials so taken and used, (in case the owner thereof demand it), such price as they and the owner or respective owners thereof may mutually agree upon; and in case the said parties shall not agree, it shall be lawful for the said Company to apply to two of Her Majesty's Justices of the Peace in the County wherein the said land may be situate for a warrant, which warrant shall be in the form set forth in the Schedule A to this Act annexed, and shall be directed to the High Sheriff of such County, commanding such High Sheriff to summon a Jury of five disinterested persons, being freeholders or occupiers of land in the said County, who shall be sworn to examine the site of the said railway, or the land or material so taken; and in case the said railways shall pass through or extend upon any improved lands, or shall occasion the removal of any buildings or fences, then and in all such cases the damages shall be ascertained and assessed by such Jury; provided nevertheless, that such Jury, in assessing the said damages, are authorized and empowered and shall take into consideration the enhancement in value of the land, by the passage of the railway, in regard to the increased facilities of access to the different stations and termini of the said railways, in diminution of the damages to be paid to the owner or owners or occupiers of any land over which the said railways may be laid out; the Justices who issued