

NEWBRUNSWICK.

The Acts for the Halifax and Quebec Railway to be construed so as to give that line the precedence.

have not yet received Her most Gracious Majesty's assent, shall, in the event of both or either of them receiving such assent, be deemed to be and be construed as one Act with this present Act: And provided also, that nothing in such two Acts or Bills contained shall be so construed as to be inconsistent with or impede the concession of any facilities or the enjoyment of any advantages granted by an Act of the present session in favour of the national and provincial undertaking of the Halifax and Quebec Railway; but all provisions of such two Acts or Bills shall be so construed as to give a preference to the construction and maintenance of the said Halifax and Quebec line whenever by reason of its traversing the same ground or otherwise the interests of the two railways may conflict or be incompatible.

J. R. PARTELOW,
Provincial Secretary.

No. 2.

No. 2.

An Act to make provision for the construction of a great trunk line of railway from Halifax to Quebec.
[Passed 30th March 1852.]

Preamble.

WHEREAS the formation of a great trunk line of railway from Halifax to Quebec, through British territory, would consolidate and strengthen the provinces of British North America, develop their resources, settle their waste lands, multiply their social and commercial relations, and afford increased facilities for rapid inter-communication with the British islands and with all parts of this continent: and whereas it is anticipated that Her Majesty's Government will advance or guarantee the funds required to construct this work on certain conditions;

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

Authority to make arrangements with the Imperial Government, Canada, and Nova Scotia, for the construction of a line of railway from Halifax to Quebec.

1. Whenever the funds necessary for the purpose shall be raised by loan or guarantee under the authority of the Parliament of the United Kingdom, or advanced as a loan to the provinces of Canada, Nova Scotia, and New Brunswick, under such authority, or subscribed or loaned by corporations or individuals as herein-after provided, either wholly or in part, it shall be lawful for the Lieutenant-Governor in Council to enter into such arrangements as may be deemed conducive to the interests of this province with the Government of the United Kingdom, and with the Governments of Canada and Nova Scotia, for the construction of a great trunk line of railway from the harbour of Halifax in Nova Scotia to some point opposite the city of Quebec, to be located on a line commencing at or near Point Levi, opposite Quebec, thence down the Saint Lawrence to or near to the River de Loup or Trois Pistoles, and thence traversing in its main course on British territory watered by the tributaries of the River St. John to the city of Saint John, thence following on or near the proposed route of the European and North American line of railway to the northern boundary of Nova Scotia, on the isthmus between the Bay of Fundy and the Gulf of Saint Lawrence; and thence through Nova Scotia to Halifax, on any line that may be found most eligible.

Proportions of line to be constructed by each of the provinces.

2. The said great trunk line of railway shall be constructed by this province, in conjunction with the provinces of Canada and Nova Scotia, in the following proportions; that is to say, the province of Nova Scotia to make provision for and to contribute to the construction of the whole line three-twelfths; Canada four-twelfths; and this province five-twelfths; each province bearing the hazard and sharing the profits of the whole enterprise in the like proportions.

Title to ungranted lands within five miles of the roads placed at the disposal of the Governor in Council.

3. For facilitating the arrangements, all the right and title of Her Majesty in this province in the ungranted lands within this province lying within five miles of each side of the said great trunk railway are hereby placed at the disposal of the Lieutenant-Governor in Council, to be appropriated, pledged, or otherwise dealt with as may be thought best for the interest of the province with regard to such arrangements as aforesaid; it being understood and hereby declared that the Legislature of this province will confirm and give effect to such further enactments as may be necessary to carry out any arrangements or agreements which may be made by the Lieutenant-Governor in Council in the spirit and for the purpose of this Act.

Commissioners to be appointed to construct the road.

4. Whenever the Governments of Canada, Nova Scotia, and this province shall have determined on and provided for the construction of the work contemplated by this Act, it shall be lawful for the Lieutenant-Governor in Council to appoint so many Commissioners as may fairly and proportionably represent the interest of this Province in such work, with full powers to construct and manage such work, in conjunction with Commissioners to be appointed by the Governments of Canada and Nova Scotia; provided that no member of the Legislature, not being a member of the Executive Government, shall be appointed a Commissioner under this Act.

No member of the Legislature to hold office under the Commissioners.

5. It shall not be lawful for any member of the Legislature to hold or be appointed to any office of emolument under the Commissioners, or be a contractor or party to any contract arising out of the construction, management, or working of the said road, or any part thereof.