

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 part of the said contemplated Rail Road, 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 one hundred thousand pounds, as may be invested in the said part of the said contemplated Rail Road, and its said Branches, during each and every year, not exceeding ten years in the whole, that the said part of the said contemplated Rail Road shall be in efficient operation as aforesaid.

VII. 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 20th day of May, 1847, and published and declared in the Province the 23d day of June, 1847.]

CAP. LXXXV.

An Act to facilitate the making of a Railway across the Isthmus which connects the Provinces of New Brunswick and Nova Scotia, to open the communication between the Waters of the Gulf of Saint Lawrence and the Bay of Fundy.

Passed 14th April 1847.

WHEREAS the facilities for travelling and the transportation of merchandise afforded by Rail Roads are necessary to the development of the commercial resources of the Province: And whereas private Companies, organized for the purpose of constructing Rail Roads, are entitled, by the public advantages accruing from their labours, to Legislative encouragement; and the Company incorporated by an Act of the General Assembly made and passed during the present Session, intituled *An Act to incorporate the Chignecto Railway Company*, is desirous to proceed immediately to construct the Railway aforesaid;

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent of Her Majesty's Executive Council, be and he is hereby authorized and empowered to grant unto the Chignecto Railway Company, and the said Company are hereby invested with the right, by their agents, servants, and workmen, to enter and go in and upon the Crown Lands lying in the route or line of the contemplated Railway, for the purpose of making examinations, surveys, and other necessary arrangements; and also for the construction and repair of the said Railway across the Isthmus which connects the Provinces of New Brunswick and Nova Scotia, and the Branches connected with the said Railway, its several station houses and depots, and for fuel for the use of the engines, station houses and depots belonging thereto, and the said Branches, to dig for, take, remove and use any earth, gravel, stone, timber, wood, or other matter, under, on or from the Crown Land contiguous to the Railway, free from any duties or charges therefor.

Right granted to enter on the Crown Lands on the route of the Railway, and also to take fuel and materials for its use.