

SECRETARY'S OFFICE,  
16th January, 1818.

WHEREAS divers Persons have at different Periods, had allotments of LAND and have neglected to take out their GRANTS for the same as required by the Royal Instructions, notwithstanding the caution given on this subject in a Proclamation dated 24th January, 1815. Such Persons are therefore hereby notified that the LANDS which may have been so allotted to them, are by the Royal Instructions, forfeited, and are open to any new application, although the LANDS in question may have been cultivated or transferred to other Persons.

List of Persons who have forfeited their LANDS in CHARLOTTE COUNTY.

NAMES OF APPLICANTS.	DISTRICT.
HUGH CAMERON,	Digdiguash.
Gideon Dean,	Near Beaver Harbour.
Joseph Doughty,	do.
Thomas Pendleton,	An Island—Passamaquoddy Bay.
Daniel Lee,	Magagaudavic.
Robert Lee,	do.
James Lee,	do.
John Campbell,	do.
James D'Sceley,	Mace's Bay.
Tristram H. Ring,	do.
John Ring,	do.
Hugh Morrison,	Saint Davids.
Zadock Hawkins,	Beaver Harbour.
Donald Kennedy,	Saint Stephens.
Thomas Fraser,	do.
Wm. M'Claskel,	do.
George Morrison,	do.
Joseph Walton,	Cheputneticook River.
James Hitchings,	do.
Murdoch M'Lean,	Magagaudavic.
Robert Lee,	do.
James Lee,	do.
John Troke,	Pocalogan River—St. Mary's Bay.
Robinson Crocker,	Digdeguash River.
John Berry,	do.
Timothy Crocker,	do.
David Crocker,	do.
John Berry, junr.	do.
Westbrook Berry,	do.
Richard M'Farlane,	do.
Daniel Stone,	Magagaudavic River.
Wm. M'Kaskle,	Basswood Ridge.
David Hannon,	Saint Davids.
Samuel Gardner,	Fredericton Road—nearly three miles East from Digdiguash River.
James Gardner,	do.
Mathias Lambert,	do.
John Pemberton,	do.
Samuel Gardner, junr.	do.
Nathaniel Gardner,	do.
Job Gardner,	do.
William Gardner,	do.
Amy Campbell,	Lots No. 35, and 36, Mascareens Tract.
Isaac Keichum,	Little Dipper Harbour.
Anne Mallard,	do.
Philip Earle, and	Saunders's Island—Passamaquoddy Bay.
David Eastman,	do.
Moses Gerish,	Grand Manan.
Daniel M'Master,	do.
Dominicus Millikin,	Oguilogan Stream.
Wm. Hill,	River Scoodiah.
Mark Milbury,	do.
Joseph Raymond, junr.	do.
Washington Raymond,	do.
Moses Vernon,	a small Island at the entrance of Le Tete Harbour.
Arthur Hill Gilmore,	St. Davids.
John Hall,	Grand Manan.
William Wentworth,	do.
Wm. Wentworth, junr.	do.
Aaron Crowell,	do.
Charles Chipman,	do.
Salmon Goodrich,	do.
Nathaniel Tarr,	do.
Thomas Barsiel,	do.
Wm. Swain, junr.	do.
Walter Hatch,	do.
Caleb Hatch,	do.
Wm. Patten,	do.
Wm. Handy,	do.
Jonah Waterman,	do.
John Bryant,	do.
John Rooney,	do.
Isaac Dudley,	do.
John M'Master,	Additional Allotments on do.
James M'Master,	do.
Widow M'Master and her Children,	do.
Moses Gerish, Esqr.	do.
Henry Rigby,	Chamcook Lakes.
Nicholas Johnson,	Pleasant Ridge.
Neal M'Curdy,	do.
James M'Curdy,	do.
Solomon Greenlow,	do.
Lauchlan M'Curdy,	do.

John Ryan,	do.
Wm Crookson,	do.
Anthony W. Carpenter,	do.
Thomas Greenlow,	do.
Martin Carlow,	do.
Jacob Carlow,	do.
John Joice,	do.
Alexander M'Curdy,	do.
Alexander Tullerton,	do.
Eben-Goodel,	do.
Daniel Grant,	do.
Jonathan Greenlow, senr.	do.
Joseph Smith,	do.
Reuben Treadwell,	do.
Benjamin Rideot,	do.
Javin Mansfield,	do.
Amos Hitchings,	do.
James Hitchings,	do.
George Hitchings,	do.
Wm. Hitchings,	do.
Gordon Gilchrist,	do.
Joseph Stinson,	do.
Donald M'Culloch,	do.
Benjamin Johnson,	do.
William Harvey,	do.
Charles Stinson,	do.
Wm. M'Gear,	do.
James Berry,	do.
David Stinson,	do.
Alexander Greenlow,	do.
Ebenezer Greenlow,	do.
John Woodberry,	Grand Manan.
Nathan Woodberry,	do.
James Smith,	do.
Doctor Adino Paddock,	do.
Adino Paddock junr.	do.
Thomas G. Keen,	do.
Robert M'Farlane,	do.
Lawrence Batson,	do.
Wm. Shepherd,	do.
Frederick Foster,	do.
Moses Cheney,	do.
Joseph Caswell,	do.
Edmund Dwyer,	do.
Daniel Chace,	do.
Valentine Warwick,	Pleasant Ridge.
Stephen Dalton,	do.
John Turner, senr.	do.
John Turner, junr.	do.
James Black,	Dipper Harbour.
Thomas Henderson,	Cape Ann Grant.
Wm. Wentworth, junr.	Grand Manan.
Moses Vernon,	E. side of Magagaudavick River.
John Troke,	do.
James Troke,	do.
Donald M'Donald,	do.
Asa Buck,	do.
Orange Seeley,	Mace's Bay.
Wm. Donald and John Knutton,	No. 31, and 32, Dipper Harbour.
Jeremiah Dunn,	Beaver Harbour.
Samuel Myers,	do.
Thomas Parker,	do.
John Parker, senr.	do.
John Parker, junr.	do.
Daniel Clarke,	do.
Richard Parker,	do.
Asa Bonny,	Magagaudavick.
William Bonny,	do.
John Oliver,	do.
Jedediah Greenlow,	Digdiguash.
Lowel Long,	do.
Edmond Black,	do.
Angus Kennedy,	do.
Peter Morrison,	do.
Hugh Morrison,	do.
Wm. Morrison,	do.
Robert Morrison,	do.
Alexander Sutherland,	do.
Donald M'Kay,	do.
Roderick Morrison,	do.
Wm. M'Kay,	do.
Andrew Sutherland,	Charlotte.
Charles M'Innis,	do.
Hector Morrison,	do.
Geo. D. Morrison,	do.
Christopher Cross,	Pennfield.
Christopher Cross junr.	do.
Freeman Hide,	Magagaudavick.

LAW PROCEEDINGS.

CHARLES BURTON WYATT, Esqr.

versus

FRANCIS GORE, Esqr.

The following extracts, which we give from a trial determined in the Court of Common Pleas, by a special Jury, before the Right Honorable Lord Chief Justice GIBBS, at Westminster, Thursday 11th July, 1816,—furnish the material parts of that interesting case.

The Declaration was opened by Mr. RICHARDSON.

Mr. Serjeant BEST. "May it please your Lordship, Gentlemen of the Jury;

"I am also in this case, Counsel for the Plaintiff; and, Gentlemen, I am free to confess to you, in the outset of the

cause, that this is a case that is, on the part of the Plaintiff, attended with very considerable difficulty; difficulty which I should consider insurmountable, but for a most dreadful breach of the law of which this Defendant has been guilty, whose duty it was to maintain that law; I say, Gentlemen, but for that, the difficulties I should have to contend with upon the counts of this declaration which have been first opened to you, would be insuperable.

"Gentlemen there are upon this record three grounds of complaint stated. The complaint stated in the first three counts is this, that the Plaintiff, being what is called Surveyor-General of the Crown Lands in Canada, had been, without any reasonable or probable cause, suspended from that office by the Defendant, who was the Lieutenant Governor of that Province. The second ground of complaint is, that after the Plaintiff had been so suspended, the Defendant wrote letters to the Secretary of State for the Colonial Department, for the purpose of preventing the Plaintiff from being by His Majesty restored to the office from which he had been suspended. I should state to you, that to this second complaint the defendant has pleaded a justification, upon which I shall say something to you in the proper stage of the proceeding. The last ground of complaint is, that the Defendant, being the Governor of the Province of Upper Canada, in which the Plaintiff held the situation I have stated to you published of the Plaintiff a false and infamous libel. Gentlemen, upon the latter part of the charge I have no difficulty, and if I substantiate that, whether I shall be able to get over the difficulties that apply to the other parts of the case or not I shall have a claim for very large damages.

"Gentlemen, I will endeavour to relieve your minds as I go on from such parts of the case as I feel I cannot establish, because I think I should not be dealing fairly, either with His Lordship or you, if I were to take up your time in the discussion of points on which I know I must ultimately fail. I will state, therefore, candidly to you, that upon the second charge I must fail; and I will tell you why, and I will, therefore, not attempt to offer you any evidence.

"You will recollect that the second complaint is this, that after Mr. Wyatt was suspended from his office, Mr. Gore, the Defendant in this action, wrote certain letters to His Majesty's Secretary of State, for the purpose of preventing Mr. Wyatt from being restored to that office. Now, Gentlemen, in order to prove that case, it would be necessary for me to produce to you here the letters which were written by Governor Gore. My Lord will tell you I can give no other evidence of them but the letters themselves, because we have stated, and properly stated, upon the declaration, that the Governor did write certain letters, stating the contents of those letters, and stating the effect of the writing those letters to Government; that the suspension was not taken off, but that in fact he continued to be suspended. I say, therefore, for the purpose of proving that charge it is necessary I should produce those letters: you will ask why I do not produce them; my answer is, we have applied to His Majesty's Government for those letters, and cannot obtain them. Do not understand, Gentlemen, that I complain of His Majesty's Government for refusing to produce those letters; it would be highly improper in me to make such a complaint. I am not directed by Mr. Wyatt to make such a complaint. I can easily conceive there may be many causes which may prevent the production of letters from the Governors abroad to the Secretary of State."

Lord Chief Justice GIBBS. "There must be, brother Best; the objections are insurmountable; for where an officer is removable at pleasure, and is under the superintendance of another officer, whose duty it is to send representations of the impressions upon his own mind, founded upon such intelligence as he receives, to those to whom the administration of His Majesty's Government is committed, if you could call upon the Secretary of State to produce that information, it would be impossible that any man could ever do his duty; and it would be to put him upon his defence for sending the information, and render it impossible that the duties of the Government abroad should be discharged: how is it possible that any such intelligence can ever be collected if it is to be disclosed.

Mr. Serjeant BEST. "I hope Your Lordship understood me."

Lord Chief Justice GIBBS. "I interposed for the sake of its being understood that the law was as you state it."

Mr. Serjeant BEST. Gentlemen, the first charge is this; that the Defendant being the Lieutenant-Governor of the Province of Upper Canada, in which province the Plaintiff held the situation of Surveyor-General, for the admeasuring, surveying, and settling out lands; that whilst the Defendant was standing in the situation of Lieutenant Governor, and the Plaintiff was acting as such Surveyor-General, the defendant, as such Governor, suspended the Plaintiff from the execution of that office, and of course deprived him of the profits of that office, and that he did this (and it is necessary this should be stated upon the record, in order to give us cause of action against the Defendant) maliciously, and without any reasonable or plausible cause.

"Gentlemen, the law upon this subject I will state, subject to his Lordship's correction, anxious I assure you to state it correctly; and most desirous, that if I should fall into any mistake, what I state should be corrected by the high authority before which I have the honour to address you.

"Gentlemen a Governor may, if he pleases, suspend a man in the execution of an office, or dismiss him from that office; if he does this, though there was no cause of suspension, yet, if the Governor had reason to suppose there was cause of suspension, and he did it in what he conceived to