

THE NEW-BRUNSWICK  
ROYAL GAZETTE.

[Volume V.]

TUESDAY, 18th MAY, 1819.

[Number 12.]

The Gazette.

BY AUTHORITY.

SECRETARY'S OFFICE,  
26th April, 1819.

NOTICE is hereby given, in addition to the existing Regulations respecting PINE TIMBER,

THAT all PETITIONS or APPLICATIONS for LICENCE to cut PINE TIMBER during the ensuing Winter, must be lodged in the SECRETARY'S OFFICE by the First of October, after which none will be considered for that year.

And no Applicant will be allowed Licence to cut more than one District in the same year.

SECRETARY'S OFFICE,  
26th April, 1819.

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 repeated cautions given on this subject: Such Persons are again 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 they may have been cultivated or transferred to other Persons.

NEW-BRUNSWICK.

IN CHANCERY—the 20th day of February, in the fifty-ninth year of the Reign of King George the Third—1819.

Between THOMAS HORSFIELD, Plff. and GAVIN SMITH, Defendant.

FORASMUCH as this Court was this present day informed by Mr. Peters, of Counsel for the Plaintiff, that the Plaintiff on the twelfth day of June last, filed his Bill in this Court against the Defendant, as by the Certificate of the Clerk in Court appears, and took out Process of Subpoena, returnable on the second Tuesday in July last, requiring the Defendant to appear to and answer the same; but that upon inquiring at the Defendant's usual place of abode, he was not to be found, so as to be served with such Process, and is gone out of the Province, or doth otherwise abscond to avoid being served therewith, as by affidavit appears. And the said Certificate and affidavit being read, and the truth of the above allegation being made out to the satisfaction of the said Court,—

IT IS ORDERED, that the Defendant do appear to the Plaintiff's Bill on or before the thirty-first day of July next.

By the Court,  
M. C. HAILES, Register.  
R. PARKER, Junr.  
Plaintiff's Solicitor.

NOTICE.

WHEREAS the Subscribers have been duly authorized, and qualified according to law, to be Trustees for all the creditors of Alexander M'Donald late of Saint George, in the County of Charlotte, trader, an absconding Debtor. These are to require any person or persons indebted to the said Alexander M'Donald, on or before the first day of June next to pay all such sum or sums of money, or other debt, duty or thing which they owe to the said Alexander M'Donald, and to deliver all other effects, of the said Alexander M'Donald, which any person or persons, may have in their hands, power, or custody, to the said Trustees or either of them. And all the Creditors of the said Alexander M'Donald, are desired on or before the first day of June next, to deliver to the said Trustees, or any one of them, their respective accounts and demands against the said Alexander M'Donald.

DON. M'LACHLAN.  
H. HATCH.  
JAS. BARBER.

Saint Andrew, 6th April 1819.  
Commissariat-Office, Fredericton, N. B.  
23d December, 1817.

CASH.

ANY Person wishing to remit MONEY to Saint John, may obtain Drafts from this Office, on the Assistant Commissary General, payable at sight.

AT a General Sessions of the Peace holden at Fredericton on the 15th day of January, 1818,

Ordered that the ASSIZE of BREAD be as follows:—viz.

The Shilling Wheaten Loaf lb. oz. to weigh . . . . . 2 : 12  
Ditto Rye do. 4 : 0

And other Loaves in proportion.  
By order of the Court,  
G. CLOPPER,  
Clerk of the Peace.

Government Contracts.

COMMISSARIAT OFFICE,  
FREDERICTON, 11th MAY, 1819.  
Contract for Fresh Beef.

PERSONS desirous of supplying such quantities of FRESH BEEF, as may be required for the Troops, &c. in the Garrisons of St. John, Fredericton, and St. Andrew's, from the 25th day of June next, to the 24th day of June, 1820, inclusive, are requested to send separate sealed Proposals for each place, to this Office, on or before Monday the 24th instant, at twelve o'clock.

The Beef to be delivered in entire quarters, with the Suet belonging to them, on written orders from the Commissariat Office at each station, where a copy of the Contract may be seen, on application, specifying the days of delivery, the probable quantities which may be required, and all other necessary particulars.

No Tender will be noticed unless accompanied by a letter addressed to the Assistant-Commissary-General, at St. John, signed by two responsible persons, engaging to become bound with the persons tendering, in the Sum of £1200 for St. John; £1200 for Fredericton; and £400 for St. Andrew's, for the due performance of the Contract.

Payment will be made Monthly in Bills of Exchange, at par, for the quantities delivered within the Month.

COMMISSARIAT OFFICE,  
FREDERICTON, 11th MAY, 1819.  
Contract for Wood.

WANTED for the use of His Majesty's Troops and Departments in this Garrison, One Thousand Six Hundred CORDS, more or less, of good sound Merchantable HARD WOOD, to consist of Beech, Black or Yellow Birch, and Maple, to be measured at the expense of the Contractor, and delivered at such place or places, and in such quantities as the Officer in charge of the Commissariat at Fredericton shall from time to time direct, so as to insure a regular supply to the Troops.

Sealed Tenders for supplying the above will be received at this Office, marked "Tender for Wood," till Monday the 24th instant, at twelve o'clock. No Tender will be noticed unless accompanied by a Letter addressed to the Deputy-Assistant-Commissary-General, and signed by two respectable Persons, engaging to become bound with the Person tendering, in the sum of £1000, for the due performance of the Contract.

Payment will be made in Bills of Exchange, at par, when the quantity delivered shall amount to £100 sterling, or upon delivery of the whole quantity. Any further information may be had by applying at this Office.

From the STAR of the 4th inst. Messrs. REYNOLDS, & Co.

THE dissolution of the late House of Assembly has naturally excited much public speculation, notwithstanding the cause and necessity of the measure is but little understood. The journals of the House do not convey the information which would be derived from the debates, if they had been taken and published,—in which the reasoning and opinion of the influenced Members would be seen, and might be approved or judged of, at the discretion of every reader.

Judging from His Excellency's Speech at the close of the session, I presume that although the House did not answer the expectation conveyed in the speech at the opening, yet that was no cause for, nor would there have been, a dissolution of the House on that account. It must therefore be sought for elsewhere. It will be recollected that a variety of proceedings were had in the House respecting the Reserved lands, in which the legislative Council went as far with the House as in their wisdom they thought meet, and then sent down the following message:

"The Council having taken into consideration the Message from the Assembly, respecting a proposed address to His Royal Highness the Prince Regent, on the subject of reserved lands in the counties of Charlotte

and Northumberland, have thereupon Resolved, that the Council cannot join the House of Assembly in the said proposed address."

The House then determined to proceed without the Council, and a Resolve was passed to address the Prince Regent on the subject of the Reserved lands. Proceedings thus far was not sufficiently satisfactory, but something must be done with the King's wood! An address was therefore sent to the Lieutenant Governor, requesting him to inform the House by what authority bonds were taken for one shilling per ton on all pine timber and what was to be done with the money when collected. His Excellency's answer ought to have afforded entire satisfaction on the subject,—for, notwithstanding the high tone assumed by the House in their address, the Message which contained the answer conveyed an account of all the proceedings had by the Executive government here in consequence of orders from His Majesty's Ministers, and that such proceedings had been transmitted for His Majesty's approbation.

It is but reasonable to suppose that matters should have rested quietly here until the King's pleasure was known upon the regulation adopted by the Governor and Council for the preservation of the King's property, and that any further measures upon the subject in the House would have the appearance of attempting to force matters even where there could, for the present, at least be no hope for success;—but the Majority of the House thought not so—and the Resolve of the 17th of March was passed after some modification attained by some warm debating from the Minority as it now appears in the journal of the House.

The reader will observe that, in passing the above Resolve the House thought proper to vary their mode of proceeding. When the Council ceased to co-operate with the House in the case of the reserved lands, the House resolved to address the Throne on the subject; but upon the communication of His Excellency, respecting the King's woods, they immediately pass a Resolve of censure.

When I look at the contents of that offensive Resolve I can hardly indulge the idea that such a measure could at any time have been adopted by a dignified and deliberate body;—is it any wonder that it was beheld by the Executive with "surprise and concern"? I beg leave to quote the Resolve, and to place the facts stated therein which are untenable or absolutely false, in italics.

"March 17.—On motion, Resolved, that the System which requires bonds to be taken for payment of one shilling per ton on all Pine Timber manufactured in this Province, is a measure highly injurious to its trade, and, in the opinion of the House, is not contemplated by the instructions of His Majesty's Ministers, communicated to the House in the Message of the 11th instant, directing that no Pine Timber should in future be cut except under the sanction of the Lieutenant-Governor as it never could have been the intention of Ministers to lay a direct Tax upon one of the staple commodities of the Province, so essential to its welfare, and so conducive to the importation and consumption of British manufactures, received in payment thereof. The House humbly conceiving that said instructions are only intended to prevent the wanton destruction of Pine Trees fit for Naval purposes, which object can be carried into effect without injury to the numerous classes of His Majesty's subjects employed in manufacturing and shipping Timber to the Mother Country."

I beg the reader to look over His Excellency's Message of the 11th, in answer to the Resolve of the House of the 8th of March, respecting pine timber: the House was informed that the system had been arranged and recommended by the

"Council," that "the shilling per ton forms a part of that system, which has been transmitted for the consideration of His Majesty;" but that system had not been in any way whatever communicated to the House, where then did the House obtain any knowledge of "the system which requires bonds to be taken for the payment of one shilling per ton on ALL pine timber manufactured in this Province"? Equally insolent and improper was it to assert, in the same Resolve that, the measure "is not contemplated by the instructions of His Majesty's Ministers, communicated to the House in the Message of the 11th instant."—The journals do not furnish any such communication as stated above; in fact no such instructions were communicated, how then could the House state such facts? The first of which (viz. the system) they had no other knowledge of but that a system had been recommended, only a part of which had been communicated to them; and the second, viz. the instruction of His Majesty's Ministers, communicated in the Message of the 11th instant, when it is beyond a doubt that no such instructions of His Majesty's Ministers were laid before them, to what are we to attribute such proceedings? How can we account for such conduct from gentlemen chosen as wise and discreet persons, to manage our Provincial polity? Is it not strange indeed, that so few out of so many of our representatives should be found to reject such inconsistent, dangerous and obnoxious proceedings? In this Resolve we see the House erecting itself, exclusively, without even asking the concurrence of another branch of the legislature into a tribunal, assuming false opinions and passing their censure upon the proceedings of a power beyond their reach, and that too upon matters only in progress,—which still await the sanction of His Majesty, and will not be a matured system until that sanction has been obtained;—not only so, but spontaneously offering their opinion that the object of preventing the destruction of the King's woods may be attained without that injury and ruin to his Majesty's subjects which must ensue if the measure adopted by the Lieutenant-Governor and Council, should be persisted in. So suppose that the House of Assembly as an independent branch of the legislature may at all interfere with the proceedings of the Governor and Privy Council in matters exclusively the King's, and consequently under the sole direction of the King's Ministers, is to suppose an inconsistency; had this been the case, the representations sent home relative to the wanton destruction of the King's woods would have been returned to the Lieutenant-Governor, and directions given to lay them before the House for their consideration; but the measures recommended by the King's Ministers who (it appears from several laws sent home by the late General Assembly for the Royal sanction) are more concerned for our rights than our own Representatives have been, shew us a very different (and no doubt a very correct) precedence. But, allowing for a moment that the House had a right to interfere, was the mode justifiable? Was it consistent, for the honorable House to assume grounds not only untenable but utterly false, and upon such grounds, to pass a premature censure on that part of British jurisprudence which has nothing legislative in it? Where was the cool reasoning and dispassionate proceeding, always necessary in legislative bodies? Why rush into a measure

of such monstrous mein, "as to be hated needs but to be seen?"

If any thing can be added to disgust the reader on those offensive proceedings, it is the persistence of the House after the Message of His Excellency on the occasion; and the mode in which that message was treated by the House.