

W. David Estabrooks

# THE NEW-BRUNSWICK

# ROYAL GAZETTE.

[Volume VI.]

TUESDAY, 29th MAY, 1820.

[Number 13.]

## The Gazette.

By His Excellency Major-General  
GEORGE TRACEY SMYTH,  
(L. S.) Lieutenant-Governor and Com-  
mander in Chief of the Province  
of New-Brunswick, &c. &c. &c.  
G. S. SMYTH.

### A Proclamation.

WHEREAS it is deemed expedient  
that a General Assembly of this  
Province should be called and summoned to  
meet at Fredericton on the second Tuesday  
in July next: I do therefore, by and with  
the advice of His Majesty's Council,  
publish this Proclamation, hereby call-  
ing and summoning the said General  
Assembly, to meet at the time and place  
abovementioned.

Whereof all persons whom it may concern,  
will take due notice and govern them-  
selves accordingly.

Given under my Hand and Seal,  
at Fredericton, the twentieth day  
of May, in the year of our Lord  
one thousand eight hundred and  
twenty, and in the first year of  
His Majesty's Reign.

By His Excellency's Command,  
H. H. CARMICHAEL, D. S.

## NOTICE.

By Command of His Excellency the LIEU-  
TENANT-GOVERNOR.

THE Persons now occupying ST.  
ANDREWS ISLAND, in PAS-  
SAMAQUODDY BAY, and all others whom  
it may concern, are hereby required to shew  
cause before the LIEUTENANT-GOVER-  
NOR in Council, on the First Tuesday in  
June next, why the said ISLAND should not  
now be granted.

H. H. CARMICHAEL, D. S.  
Fredericton, 29th February, 1820.

An Act further to alter and amend an Act  
intituled "An Act for the establish-  
ment, regulation and improvement of the  
Great Roads of communication through  
the Province."

Passed the 29th of March 1820.  
WHEREAS the Road leading  
from Fredericton to Northumber-  
land as established in and by An Act made  
and passed in the fifty-sixth Year of His  
Majesty's Reign, intituled "An Act for  
the establishment of the Great Roads of com-  
munication throughout the Province," is to  
cross at the Forks of the River Miramichi  
to Babcock's, and to continue on that side  
of the said River to Indian Town, and then  
to recross the same River; which part of the  
said Road having been found to be very  
inconvenient,

I. *Be it therefore enacted by the Lieut-  
enant-Governor, Council, and Assembly,*  
that the said Road shall not in future cross  
and recross the said River, as aforesaid, but  
be continued on the Western side of the  
said River to Indian Town, and be laid out  
in such manner as the Supervisor or Super-  
visors shall think fit.

II. *And whereas* great inconvenience  
has arisen in consequence of the ordinary  
statute labour of all persons residing upon the  
Great Roads of communication, being under  
the authority and direction of the Supervi-  
sors of the said Roads as is provided in and  
by the tenth section of the said herein before  
recited Act,

*Be it therefore further enacted,* that the  
said tenth section of the same Act be, and  
the same is hereby repealed. *And whereas*  
great and unnecessary expenses have been in-  
curred, owing to the great number of Super-  
visors that were appointed in and by the  
third section of the same Act, and whereas  
it is found expedient to reduce the number  
of the said Supervisors,

III. *Be it therefore further enacted,*  
that the third section of the same Act be,  
and the same is hereby repealed: and that  
the persons therein named, be no longer  
deemed as Supervisors, but that their powers  
as such do cease, and be at an end; saving  
where they may be necessary for the reco-  
very of any forfeiture and penalties inflict-  
ed and incurred under and by virtue of the  
Provisions of the same Act; and saving  
their liability to account for the monies en-  
trusted to and received by them respectively  
as Supervisors aforesaid.

IV. *And be it further enacted,* that the  
Lieutenant-Governor or Commander in  
Chief for the time being, by and with the  
advice of His Majesty's Council, is hereby  
authorized and empowered to appoint, by  
warrant under his Hand and Seal, two fit  
and discreet persons to be Supervisors of  
the Great Roads throughout the Province;  
which persons, when so appointed, shall give  
security in the sum of three thousand Pounds  
each, and be sworn to the faithful discharge  
of their duty respectively, and be vested  
with all the powers and authority which the  
former Supervisors possessed, and be subject  
to all the restrictions, provisions and limita-  
tions of the same Act, and of the Acts made  
in addition to and in amendment thereof,  
except where they are in and by this Act  
altered.

V. *And be it further enacted,* that each  
of the said Supervisors shall be allowed to  
retain for his services, at and after the rate  
of ten per cent. for every hundred Pounds  
that shall be expended by him out of the  
monies granted for the use of the said Roads.  
Provided that no one Supervisor shall receive  
a larger sum than two hundred and fifty  
Pounds in any one year.

VI. *And be it further enacted,* that in  
case of the death, or removal from office  
for misconduct, or either, or of both of the  
said Supervisors, the Lieutenant-Governor  
or Commander in Chief for the time being,  
is hereby authorized and empowered to ap-  
point, by and with the advice of His Ma-  
jesty's Council, other fit person, or persons  
in the room of such Supervisor or Super-  
visors so deceased or removed from Of-  
fice.

VII. *And be it further enacted,* that  
no Supervisor to be appointed under and by  
virtue of this Act, shall on any account what-  
ever be concerned in trade, or any dealings  
in merchandize.

VIII. *And be it further enacted,* that all  
contracts to be made by the Supervisors or  
either of them, for labour and other expen-  
diture for the Public Roads, shall be by them  
paid in the current money of the Province;  
and that the said Supervisors shall severally  
account in manner as required in and by the  
first herein before recited Act.

IX. *And be it therefore enacted,* that all  
the Great Roads as established by the said  
Act made in the fifty-sixth year of His  
Majesty's Reign, and by the Acts made in  
addition thereto, and amendment thereof, as  
also by this Act, shall be divided into two  
Districts; the one District to comprise  
such parts of the Great Roads which lead  
through the following Counties, to wit, the  
Counties of Northumberland, Westmor-  
land, Saint John, and King's; with the ex-  
ception of that part of the Great Road  
which lies between the Le Proc River and  
the City of Saint John: the other Dis-  
trict to comprise such parts of the Great  
Roads which lead through the following  
Counties, namely, the Counties of York,  
Charlotte, Sunbury and Queen's, and that  
part of the Great Road which lies in the  
County of Saint John, between the Le Proc  
River and the City of Saint John: the  
one district to be superintended by one of  
the said Supervisors, and the other district  
by the other Supervisor, for the term of

two years; and at the expiration thereof  
then to exchange Districts; and to continue  
to exchange every two years while in of-  
fice.

X. *And be it further enacted,* that if  
any person do or shall hereafter  
alter, stop up, or encroach upon any of the  
Great Roads of communication through the  
Province, in any way whatever, such person  
so offending contrary to the meaning of this  
Act, shall for every such offence forfeit the  
sum of two Pounds, to be recovered with  
cost of suit before any one Justice of the  
Peace of the County where such offence  
shall be committed, upon the oath of one or  
more credible witness or witnesses, and levi-  
ed by warrant of distress and sale of the of-  
fender's goods and chattels, rendering the  
overplus, if any, to such offender; and for  
want of sufficient goods and chattels, the  
said Justice is hereby required, to commit  
such offender to the common Gaol of the  
County wherein such offence shall be com-  
mitted, there to remain for a term not ex-  
ceeding eight days, which penalty, when  
recovered, shall be paid to the Supervisor,  
for the use of the Great Roads within his  
district.

An Act to provide for and encourage the  
settlement of Emigrants in this Pro-  
vince.

Passed the 29th March 1820.

WHEREAS it is deemed expedi-  
ent for the Interest of the Pro-  
vince, to facilitate the settlement of indus-  
trious and enterprising Emigrants from the  
Mother Country,

I. *Be it therefore enacted by the Lieut-  
enant-Governor, Council, and Assembly,*  
that the Lieutenant-Governor or Comman-  
der in Chief for the time being, by and  
with the advice of His Majesty's Council,  
is hereby authorized and empowered to ap-  
point a number of discreet persons, not ex-  
ceeding three in each of the Counties of  
this Province; which persons when so ap-  
pointed, shall serve as a Committee in their  
respective Counties, whose duty it shall be  
to enquire into the Characters, Testimonials  
and claims of all such Emigrants as may  
arrive at or come into their respective  
Counties from the Mother Country, with an  
intention of becoming Settlers therein; and  
shall also enquire into the probable means  
that such Emigrants possess of becoming use-  
ful settlers in the Province; and in all cases  
where such investigation shall prove satis-  
factory, the Committee making such en-  
quiry, shall report, and recommend such  
Emigrants to His Excellency the Lieuten-  
ant-Governor or Commander in Chief for  
the time being, for Location Tickets for the  
Lots to be Surveyed and laid out in the  
several Counties, as is hereafter mentioned.

II. *And be it further enacted,* that for  
the accommodation of Poor Emigrants, such  
a number of Lots, and to contain so many  
acres each, as His Excellency the Lieuten-  
ant-Governor or Commander in Chief, by  
and with the advice of His Majesty's Coun-  
cil, may be pleased to limit and direct, shall  
be laid out and Surveyed in the several  
Counties of this Province, and in such parts  
of said Counties as His Excellency the  
Lieutenant-Governor or Commander in  
Chief for the time being, by and with the  
advice aforesaid, shall think expedient.

III. *And be it further enacted,* that  
whenever His Excellency the Lieuten-  
ant-Governor or Commander in Chief for  
the time being, by and with the advice of His  
Majesty's Council, shall be pleased to grant  
a Location Ticket to any Emigrant for any  
of the Lots so to be laid out and surveyed as  
aforesaid, upon the recommendation of any  
of the Committee so to be appointed for the  
several Counties as aforesaid, the same shall  
be granted upon the like terms and conditions  
upon which Location Tickets have hereto-  
fore been given to poor Emigrants.

IV. *And be it further enacted,* that  
whenever it shall be represented to His Ex-  
cellency the Lieutenant-Governor or Com-  
mander in Chief for the time being, by any  
of the Committees of the several and respec-  
tive Counties, that a settlement or settle-  
ments have been formed upon the Lots in  
any of the Counties so laid out and survey-  
ed as aforesaid, by Emigrants, and that the  
same from their interior and remote, situa-  
tion, require a Road or Roads to be made  
for the accommodation thereof, that then and  
in such case the Lieutenant-Governor or  
Commander in Chief for the time being, by  
and with the advice of His Majesty Coun-  
cil, is hereby empowered to order and direct  
a Road or Roads to be laid out for the ac-  
commodation of such settlement or settle-  
ments, under the direction of the Committee  
of the County in which such settlement or  
settlements shall be made.

V. *And be it further enacted,* that in  
order to defray the expenses of laying out  
and Surveying the said Lots in the said  
several and respective Counties of this Pro-  
vince, and for laying out and making Roads  
for the accommodation of the settlers in the  
same, there shall be allowed to His Excel-  
lency the Lieutenant Governor or Com-  
mander in Chief for the time being, the sum  
of eight hundred Pounds, to be paid out of  
the Province Treasury, and to be by him  
expended and laid out, by and with the ad-  
vice of His Majesty's Council, for the pur-  
poses herein before mentioned.

VI. *And be it further enacted,* that the  
said Committee shall keep an exact account  
of the monies expended by them, or under  
their direction by virtue of this Act, and  
shall produce vouchers therefor; which ac-  
count and vouchers shall be transmitted by  
them respectively, to the office of the Secre-  
tary of the Province, for the inspection of  
the General Assembly.

VII. *And be it further enacted,* that  
this Act shall continue and be in force for  
two years, and from thence to the end of  
the next Session of the General Assembly.

## Regulations for granting Li- cences to cut Pine Timber on the Vacant Crown Lands.

Fredericton, 14th April 1820.

Every Petition for Licence to cut Pine  
Timber must contain the following particu-  
lars, supported either by the affidavit of the  
Party or a Certificate from a Magistrate,  
viz:

*That the Petitioner is a British Subject,  
a Freeholder, and not connected, directly or  
indirectly, in the transaction, with an  
Alien.*

The Certificate of the Surveyor-General  
must also be obtained, that the district appli-  
ed for is vacant Crown Land, and that there  
is no prior application to settle on the same.

The Petition is then to be lodged at the  
Secretary's Office, to be submitted to the  
Lieutenant-Governor.

The Licence, if granted, will be given to  
an officer of the Surveyor-General's De-  
partment or to one of the Deputies of the  
Surveyor General of the Woods, as his au-  
thority for inspecting and marking out the  
District therein described at the expence of  
the Petitioner. After which a Bond must  
be entered into to His Majesty, at the rate  
of one shilling per Ton for the quantity of  
Timber mentioned in the Licence, and the  
established Fees of Office endorsed thereon  
being in part of the sum specified in the con-  
dition of the Bond.

The officers in the Surveyor-General's  
Department and those in the Department  
of the Surveyor-General of the Woods, are  
hereby strictly charged against marking out  
any District without the previous authority  
of a Licence granted as aforesaid, or a spe-  
cial warrant under the Hand and Seal of  
the Lieutenant-Governor: and every Per-