

THE NEW-BRUNSWICK

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An Act for the better securing of the Navigation of the inner Bay of Passamaquoddy, and to indemnify the Deputy Province Treasurer at Saint Andrews, against any demands for monies collected for tonnage duties since the former Acts for this purpose expired.

Passed the 21st of March 1822.

WHEREAS an Act passed in the forty-first year of his late Majesty's Reign, intituled "An Act for the better securing the Navigation of Passamaquoddy Bay, within Deer Island," also an Act passed in the fiftieth year of the same reign, intituled "An Act to revive, continue, and amend an Act, for the better securing the Navigation of Passamaquoddy Bay within Deer Island," have expired: And whereas great advantages accrued to the Navigation of the said Bay from the operation of the above recited Acts—

BE it therefore enacted by the Lieutenant-Governor, Council and Assembly, that it shall and may be lawful for such Commissioners as His Excellency the Lieutenant-Governor shall appoint, or the major part of them, to ask, demand, sue for, and receive from the Deputy Province Treasurer at St Andrews, for the County of Charlotte, his heirs, or executors, or any other person or persons, all such sum or sums of money as he or they may have received, or may have become indebted for, by virtue of the said Acts, and also to examine, adjust, settle, and pay off, all demands arising in consequence of the services performed in and by virtue of the said Acts.

And be it further enacted, that it shall and may be lawful for the Commissioners aforesaid, or the major part of them, to build, rebuild, replace, and support such Beacons, or Buoys, on the different reefs of rocks, sand reefs and bars, in the inner Bay of Passamaquoddy, and also to build and keep in repair a slip or slips in St Andrews Harbour, to widen and deepen the Channel of the Bar of said Harbour, and generally to improve said Harbour, as they may deem necessary and expedient.

And be it further enacted, that from and after the passing of this Act, there be, and are hereby granted to his Majesty, his heirs and successors, for the purpose aforesaid, the following duties of tonnage on all inward bound vessels entering Passamaquoddy, within Deer Island, of the following description and at the following rate, namely, on all vessels (coasting craft excepted) one penny per ton for every ton they respectively admeasure agreeable to register, for each time they arrive in Passamaquoddy Bay, within Deer Island aforesaid.

And be it further enacted, that every master of such ship or vessel, who shall refuse or neglect to call upon the Deputy Province Treasurer at St Andrews, and pay to him such tonnage within forty-eight hours after his arrival, shall forfeit and pay a sum not exceeding five pounds, to be sued for and recovered before any two of His Majesty's Justices of the Peace, and applied for the purpose aforesaid.

And be it further enacted, that the Commissioners to be appointed as aforesaid, or the major part of them, shall have power and authority to call upon the Deputy Province Treasurer at Saint Andrews, for such sum or sums of money as he shall from time to time have collected under and by virtue of this Act, excepting the amount of five per cent which shall be lawful for such Deputy Treasurer to retain, in full for his trouble in collecting the same.

And be it further enacted, that the said Commissioners, shall at the first Court of General Sessions of the Peace in the said County of Charlotte, yearly render an account to the Justices of the said Sessions, of the monies from time to time received and expended by them under this Act.

And be it further enacted, that if any person or persons shall take away, cut down, destroy, or deface, either of the said Beacons, Buoys, or Slips, such offender or offenders shall, on due conviction thereof, by the oath of one or more credible witnesses or witnesses, before any two of His Majesty's Justice of the Peace, forfeit and pay a sum not exceeding twenty pounds, to be applied as aforesaid, and on failure of payment thereof, or want of goods and chattels whereon to levy, such offender or offenders shall be committed, by such Justices, to the County Gaol, for a space not exceeding three months.

And whereas the Deputy Province Treasurer at St Andrews, has collected the tonnage duty on vessels arriving in the inner Bay of Passamaquoddy since the expiration of the Acts authorizing the same—Be it enacted that all payments of tonnage duty made to the said Deputy Province Treasurer, according to the provisions of the said Acts shall be deemed and taken, and are hereby declared to be equally valid and effectual to all intents and purposes as if the said Acts had been in force, and that all and every such sums of money collected by him since the said Acts have expired, shall be applied to the purposes of said Acts, and shall be paid and accounted for to the said Commissioners, as directed in the first section of this Act; and the said Deputy Province Treasurer is hereby acquitted and discharged of and from any demand of any person or persons, whomsoever other than the said Commissioners as aforesaid, to be made against him for or on account of the payment of any such monies, and is he is hereby indemnified against the same, and any suit, prosecution, or action, to be brought against him by reason thereof.

And be it further enacted, that this Act

shall continue and be in force for the term of five years, thence to the end of the next Session of the General Assembly.

An Act in addition to an Act, intituled "An Act for the better extinguishing Fires which may happen in the Towns of Fredericton and Saint Andrews."

Passed the 21st of March 1822.

WHEREAS by an Act passed in the fifty-second year of the reign of his late Majesty King George the Third, intituled "An Act in further addition to an Act intituled "An Act for the better extinguishing Fires that may happen within the City of Saint John," the registered Firemen within the said City of Saint John, are exempted and free from all statute labour on the highways and streets within the said City: And whereas it is proper and expedient to extend the same exceptions to the Firemen in the Towns of Fredericton and Saint Andrews:

BE it therefore enacted by the Lieutenant-Governor, Council and Assembly, that the Registered Firemen of the said Towns of Fredericton and Saint Andrews, shall be, and they are hereby exempted and free from all statute labour on the highways and streets within the said Towns of Fredericton and Saint Andrews respectively, during their continuance in the office of Firemen, any law or usage to the contrary notwithstanding.

Secretary's Office, 13th April, 1822.

Representation having been made that sundry Persons are in the practice of burning Charcoal on the Common and Public Grounds in Fredericton—this practice is strictly forbidden by order of The Lieut. Governor in Council—And any Person found so offending hereafter, will be immediately prosecuted.

SECRETARY'S OFFICE, 11th March, 1822. NOTICE.

ALL Persons who have obtained Licences for cutting of Pine Timber on Crown Lands, since the first of January, 1820, and have not given the Bonds required by the Public Regulations, are hereby called on forthwith to execute such Bonds at the proper Offices, otherwise their Licences will be considered void; and Timber found in the possession of Persons neglecting this Notice, will be seized—For which purpose, lists of their names will be furnished to the Seizing Officers in the several Counties.

- OFFICES FOR TAKING BONDS. At Fredericton, GEORGE P. BLISS, Esq. At St Andrews, NEVILLE PARKER, Esq. At Miramichi, JOSEPH CLARKE, Esq. At St Peters, JOSEPH DEAN, Esq. At Richibucto, AMBROSE STREET, Esq. At Richibucto, PERRY DUMARESQUE, Esq. At Richibucto, BENJAMIN M. GOLDSMITH

Secretary's Office, 22d March 1822.

The following Regulations for granting Licences to cut Pine Timber on the vacant Crown Lands, are in future to be observed, instead of the Regulations heretofore made, by order of His Excellency the Lieutenant Governor in Council.

- 1st. No Licence to be issued but upon the actual payment of one shilling per Ton for the quantity mentioned in the Licence. 2d. That the money so to be paid, be paid into the hands of the Receiver General of the King's Revenue, first deducting therefrom the fees of office to be paid for the Licence, which fees are as follow:— To the Lieutenant Governor, 10s. To the Secretary of the Province, 10s. To the Surveyor General, 5s. 3d. That no Licence be granted to any one Person to cut in any one year more than one thousand Tons of Timber. 4th. That no Licence be granted to any person not being bona fide a British subject, and a Freeholder and Inhabitant of the Province. 5th. That all applicants for Saw Logs, pay the sum of two shillings and sixpence for every thousand feet of Boards into which such Logs are to be sawed, reckoning three logs of eighteen feet each in length, to the thousand; the same to be paid upon the issuing of the Licence. 6th. That every applicant for a licence shall particularly state his place of residence;

that he is a Freeholder in the Province, and bona fide a British Subject, and shall make oath to the truth of his statement, before a Magistrate.

- 7th. That no Licence for cutting Timber or Logs upon any Stream, shall embrace both sides of such Stream. 8th. That all Licences to be granted, shall expire on the first day of May next ensuing the date of the Licence. 9th. That in future the allowance to Officers seizing Timber, shall be, in lieu of all personal accounts and charges, one-third of the net proceeds of the Timber seized.

NEW-BRUNSWICK, In Chancery, 2d April, 1822. Henry Smith, Administrator of James Bell, deceased, and Frederick Depyster, and others.

FORASMUCH as the Court was this day informed by Mr. Bliss, Counsel for the Complainant, that the Bill in this cause was filed on the twenty-sixth day of April last, as by the Certificate of his Clerk in Court appears, and Process of Subpœna, taken out against the said Defendant, Frederick Depyster, but that the said Defendant now resides without the limits of this Province, or doth otherwise abscond to avoid being served with such Process, 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 Court,

It is ordered, that the said Defendant, Frederick Depyster, do appear to the Complainant's Bill, on or before the ninth day of July next.

By the Court, D. L. ROBINSON, Register.

By the Honourable JOHN SAUNDERS, one of the Justices of His Majesty's Supreme Court of Judicature for the Province of New-Brunswick.

To all whom it may concern Greeting: NOTICE is hereby given, that upon the application of John Jackson, to me duly made according to the form of the Act of Assembly in such case lately made and provided, I have directed all the estate as well real as personal within this Province, of James Develin, late of the Parish of Chatham, County of Northumberland, Carpenter, (which said James Develin, hath departed from this Province with intent and design to defraud the said John Jackson, and the other Creditors of the said James Develin, if any there be, of their just dues, or else to avoid being arrested by the ordinary process of the Law as is alleged against him) to be seized and attached; and that unless the said James Develin do return and discharge his debts within three months from the publication hereof, all the estate as well real as personal, of the said James Develin, within this Province, will be sold for the payment and satisfaction of the Creditors of the said James Develin.

Dated at Fredericton, the twenty-first day of February, in the year of our Lord one thousand eight hundred and twenty-two. JOHN SAUNDERS.

WHEREAS (in pursuance of an Act passed in the twenty-sixth year of His late Majesty's Reign, for relief against absconding Debtors) We the Subscribers having been duly appointed and sworn before JOHN KEILLOR, Esquire, one of His Majesty's Justices of the Inferior Court of Common Pleas, in and for the County of Westmorland, as Trustees for all and every of the Creditors of James Hamilton, late of Dorchester, in said County, Stone Cutter, an absconding Debtor: We do therefore, in pursuance of such appointment, require all persons indebted to the said James Hamilton, to pay to us on or before the first day of June next, all such sum or

sums of money, duties and things, which they owe to the said James Hamilton, and to deliver to us, all other effects of the said James Hamilton, which they or any of them may have in their hands, power or possession:

And all the Creditors of the said James Hamilton, are also requested to deliver to us on or before the first day of June next, their respective accounts and demand against the said James Hamilton.

Witness our hands at Dorchester, this first day of March, 1822.

JOHN KEILLOR, Jun. WILLIAM P. SAYRE, EDWARD B. CHANDLER, Trustees

By JOHN KEILLOR, Esquire, one of the Justices of His Majesty's Inferior Court of Common Pleas in and for the County of Westmorland.

NOTICE is hereby given, that upon application of Thomas Trenholm, of Westmorland, in said County, Trader, to me duly made according to the form of the Act of the General Assembly in such case made and provided; I have directed all the Estate as well real as personal of David Williams, late of the Parish and County aforesaid, Yeoman, (which said David Williams, has either departed from, and without the limits of this Province, with intent and design to defraud the said Thomas Trenholm, and the other Creditors of the said David Williams, (if any there be) of their just dues, or else to avoid being arrested by the ordinary process of the Law, as is alleged against him) to be seized and attached; and that unless the said David Williams, do return and discharge his said debt or debts, within three months from the publication hereof, all the estate, as well real as personal, of the said David Williams, within this Province, will be sold for the payment and satisfaction of the Creditors of the said David Williams.

Dated at Dorchester, this eleventh day of March, in the year of our Lord one thousand eight hundred and twenty-two.

JOHN KEILLOR, J. C. P. E. B. CHANDLER, Att'y.

By JOHN KEILLOR, Esquire, one of His Majesty's Justices of the Inferior Court of Common Pleas for the County of Westmorland.

NOTICE is hereby given, that upon the application of William Wilbur, of the Parish of Dorchester, in the County of Westmorland, Yeoman, to me duly made pursuant to the directions of the Act of Assembly in such case made and provided, I have directed all the estate as well real as personal of David Foster, late of said Parish, in the County aforesaid, Yeoman, (which said David Foster hath departed from this Province, with intent and design to defraud the said William Wilbur, and the other Creditors of the said David Foster, (if any such there be) of their just dues, or else to avoid being arrested by the ordinary process of the Law, as is alleged against him) to be seized and attached; and that unless the said David Foster, do return and discharge his debts, within three months from the publication hereof, all the estate, as well real as personal, of the said David Foster, will be sold for the payment and satisfaction of the Creditors of the said David Foster.

Dated at Dorchester, the twenty-sixth day of January, in the year of our Lord one thousand eight hundred and twenty-two.

JOHN KEILLOR, J. C. P. E. B. CHANDLER, Att'y for William Wilbur.

NOTICE is hereby given, that the Subscribers have been duly appointed Trustees for all the Creditors of Raymond Laliberte, late of the City of Saint John, Confectioner, an absconding debtor; and hereby require all persons indebted to