

THE NEW-BRUNSWICK ROYAL GAZETTE



VOLUME XIII.]

TUESDAY, 20TH JUNE 1826.

NUMBER 17.

THE GAZETTE.

BY His Excellency Major General Sir HOWARD DOUGLAS, Baronet, (L. S.) Lieutenant-Governor, and Commander-in-Chief of the Province of New Brunswick, &c. &c. &c.
HOWARD DOUGLAS.

A PROCLAMATION.

IN pursuance of the powers vested in me by an Act of Parliament passed in the Sixth Year of the Reign of His present Majesty, intituled, "An Act to regulate the Trade of the British Possessions abroad," I have thought fit, by and with the advice and consent of His Majesty's Council, to appoint, and I do hereby, by and with the advice aforesaid, appoint the Parish of Saint Stephen in the County of Charlotte, a Place of Entry for the entry of Goods brought or imported from any adjoining Foreign Country, pursuant to the provisions of the said Act, of which all persons concerned will take due notice and govern themselves accordingly.

Given under my Hand and Seal at Fredericton, the Fourth day of April, in the year of our Lord one thousand eight hundred and twenty six, and in the seventh year of His Majesty's Reign.

By His Excellency's Command.
WM. F. ODELL.

BY His Excellency Major General Sir HOWARD DOUGLAS, Baronet, (L. S.) Lieutenant-Governor and Commander-in-Chief of the Province of New Brunswick, &c. &c. &c.
HOWARD DOUGLAS.

A PROCLAMATION.

IN Pursuance of the Powers vested in me by an Act of Parliament passed in the Sixth Year of the Reign of His present Majesty intituled "An Act to regulate the Trade of the British Possessions abroad," I have thought fit, by and with the advice and consent of His Majesty's Council, to appoint and I do hereby, by and with the advice and consent aforesaid, appoint the Town of Fredericton and the Parish of Woodstock in the County of York, as Places of Entry for the entry of Goods brought or imported from any adjoining Foreign Country pursuant to the Provisions of the said Act. Of which all Persons concerned will take due notice and govern themselves accordingly.

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

By His Excellency's Command.
WM. F. ODELL.

BY His Excellency Major General Sir HOWARD DOUGLAS, Bart. (L. S.) Lieutenant-Governor and Commander-in-Chief of the Province of New Brunswick, &c. &c. &c.
HOWARD DOUGLAS.

WHEREAS by an ordinance establishing fees to be taken in the Province of New Brunswick, made and passed by His Excellency THOMAS CARLETON, Esquire, Governor of this Province, in Council, the second day of

March one thousand seven hundred and eighty-five, there are allowed and established among other fees the following, that is to say:

For Attornies in the Supreme Court Travelling charges per day 10s.

For Counsel in the Supreme Court, travelling charges the same as Attornies, and no more than one Counsel to be allowed in taxing Costs.

And whereas in the present circumstances of the Country, it is expedient and proper that the said fees for travelling charges to Attornies and Counsel in the Supreme Court should be abolished, I do therefore, by and with the advice and consent of His Majesty's Council, ordain and declare that the said fees for travelling charges herein before specified, be and the same are hereby abolished.

And I do further by and with the advice and consent aforesaid; ordain and declare that henceforth any Judge of the Supreme Court before whom a cause shall be tried or after being entered for trial, shall by rule of Court be referred to arbitration, may allow to be taxed in the Bill of Costs in such cause, a Counsel fee at his discretion, in no case to exceed five Guineas.

Given under my Hand and Seal at Fredericton, the sixth day of March in the year of our Lord one thousand eight hundred and twenty-six and in the seventh year of His Majesty's Reign.

By His Excellency's Command.
WM. F. ODELL.

BY AUTHORITY.

SURVEYOR-GENERAL'S OFFICE.
30TH MAY 1826.

IN order to afford every possible facility to Settlers, and to relieve them from the loss of time consequent on their attendance at Fredericton, Applications for Land may in future, if more convenient or agreeable to the Parties, be drawn up, and transmitted to the Seat of Government with the usual entrance Fees, by the Deputies of the Office, or the Gentlemen holding the situation of Secretaries to the various Agricultural Societies, but they must be made in the name of the Applicants and testified on Oath in the usual manner.

Petitioners to the number of Six, provided the Lands applied for be contiguous, may be permitted as heretofore to come out in one Grant, but in order to simplify the Public Business, each Applicant must be named in a separate Petition. Answers in the form of Printed Monthly Returns giving the decision of Council upon the Petitions in question, will be published in the Royal Gazette, and sent to the different Deputies and Secretaries of the said Societies, where they may be seen upon application; to which will be added a List of the Grants ready for delivery in the Receiver-General's Office.

This answer is on no account however, to be considered as authorizing a possession of, or going upon the Land prayed for, but on its being published, the persons applying will forward to Fredericton within Six Months the Fees due upon their Grants, and when the Fees are transmitted an Or-

der of Survey will be issued; and on the same being returned to the Office, a Deputy Surveyor will be authorized to put them in possession of their Land, under the authority of the Governor, and forward to the Surveyor-General a Certificate of his having done so, when the Grant will be made out.

The above Gentlemen will also be furnished with a correct list of the Grant and other Fees applicable to all cases, for the information of the Public.

To prevent the delays which have often happened in returning the Orders of Survey, the Deputies will be instructed to notify to the Applicants the receipt of the Order and fix a time for its execution, when such Applicant will be expected to be ready with the requisite assistance, and be able to pay the Deputy his allowed Fees and Charges, or give him satisfactory assurance for the same; in default of which, the Deputy will be instructed to return the Warrant within the time appointed, stating his reasons for not having carried it into effect.

Grant Plans will not be permitted to be made out from any documents but actual Surveys, except where Townships shall have been regularly laid out; and of which a perfect Survey shall be in the office; and for the better protection of the Settler as to his Boundaries, the Lots will be required to be more extensively and accurately defined than heretofore.

The Surveyor-General will be called upon early to lay before His Majesty's Council, a List of such Lands as shall appear to have been neglected, and not to have been cultivated according to the spirit of the Royal Instructions.

The Emigrant Settlers are especially desired to take notice, that the sale of Location Tickets is positively forbidden, and the buyers of these Tickets will not be considered as having any claim whatever to the Land under such purchase.

No Petition will in future be received unless drawn up and authenticated according to the established form.

N. B. The Applications through the Secretaries of the Agricultural and Emigrant Societies and the Deputies of Surveyor-General's Office are to be made from and after the 1st of July next, but the answers to the Petitions which have already passed the Council, will be forthwith published.

S. P. HURD, Surveyor-General.

BY AUTHORITY.

IN COUNCIL, 26th MAY 1826.

IT having been represented that many Lots on the Nerepis Road, to which persons residing in various parts of the Province pretend to have claims, are still unimproved; and some of these Claimants have offered their Lots for sale: It is therefore ordered that unless the Claimants of these Lots do apply for and take out their Grants, and commence building and improving on their respective allotments, within one month, their lots shall be forfeited, and will be then open to application.

Extract from the Minutes.
WM. F. ODELL.

BY AUTHORITY.

IN COUNCIL, 27th MAY 1826.

WHEREAS Applicants for Land have been in the practice of selling the Allotments made to them without having taken out their Grants, notwithstanding they are required to make Oath that they have not bargained for the sale of such Lands: Notice is hereby given that this practice is strictly forbidden, and all Bargains made for the transfer of Land under the like circumstances, after this date, will be holden to be absolutely null and void; and the purchasers thereof will not be considered as having any claim to a confirmation of their Title.

Extract from the Minutes.
WM. F. ODELL.

By His Excellency Major-General Sir Howard Douglas, Baronet, Lieutenant-Governor, and Commander-in-Chief of the Province of New-Brunswick, &c. &c. &c.

HOWARD DOUGLAS.

A PROCLAMATION.

WHEREAS the General Assembly of this Province stands prorogued to Tuesday the Thirteenth day of this instant, June; I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued to the Second Tuesday in September next ensuing.

Given under my Hand and Seal at Fredericton, the first day of June, in the Year of our Lord one thousand eight hundred and twenty-six, and in the seventh Year of His Majesty's Reign.

By His Excellency's Command.
WM. F. ODELL.

Head Quarters, Fredericton,
12th June 1826.

MILITIA GENERAL ORDERS.

His Excellency the Commander-in-Chief is pleased to make the following appointments, &c.---

3d Batt. Kings County Militia.

TO BE CAPTAINS. 1826

Lieut. Thomas Fairweather, dated 12th June.
" Ebenezer Smith, " 13th do.
" Samuel Fairweather, " 14th do.

TO BE LIEUTENANTS.

Ensign John McDonald, dated 12th June.
Samuel White, " 13th do.
Samuel Sprague, " 14th do.
William Frost, " 15th do.
Ashton Ketchum, " 16th do.
George Sprague, " 17th do.

TO BE ENSIGNS.

John Hays, Gent. dated 12th June.
James Emery Davis, do. " 13th do.
George Hughson, do. " 14th do.
Samuel Hoyt, do. " 15th do.
Jabez Upham, do. " 16th do.
Monmouth Fowler, do. " 17th do.