

New Brunswick Province

THE NEW-BRUNSWICK ROYAL GAZETTE



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THE GAZETTE.

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

A PROCLAMATION.

HOWARD DOUGLAS.

WHEREAS an Act of the General Assembly of this Province, made and passed in the seventh year of His present Majesty's Reign, intitled "An Act for the division of the County of Northumberland into three counties and to provide for the Government of the two new counties," hath been finally enacted, ratified, and confirmed by His Majesty in Council: And whereas it is provided and enacted by the same Act "that certain parts of the said county of Northumberland shall be and are erected into two new counties by the names of Kent and Gloucester, but that the said two counties shall not be deemed to be erected and established until the commissions shall be issued for erecting the courts of Justice, and appointing the several Justices and other officers for the said two new counties, and the same shall be notified by Proclamation of the Governor or Commander-in-Chief for the time being:" And whereas the said commissions have been issued in due form, I have therefore, in compliance with the provisions of the said Act, caused this Proclamation to issue, notifying the issuing of the same commissions, and I do hereby declare that from this day the said two counties of Kent and Gloucester shall be deemed to be in due form of Law erected and established; of which all persons concerned will take notice and govern themselves accordingly.

Given under my hand and seal at Fredericton the twenty second day of May, in the year of our Lord one thousand eight hundred and twenty-seven, and in the eighth year of His Majesty's Reign.

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

By Authority.

SECRETARY'S OFFICE, Fredericton, 17th May, 1827.

WHEREAS His Majesty's Government have directed that the Quit Rents due to His Majesty, upon Grants of Land, be collected from the first of January last, the net produce of which will be applied to such local charges or improvements as may receive His Majesty's approbation.

Notice is therefore given, by order of His Excellency the Lieutenant Governor, that the said Quit Rents will be collected accordingly.

And for the further information of all concerned, the following Extract from the instructions transmitted for the guidance of the Commissioner of Crown Lands, is also furnished by His Excellency's directions.

"You will give public notice, that you have received instructions to apply to all persons holding lands from the Crown, in perpetuity, upon the payment of Quit Rents; as well as to all persons holding Lands upon Leases for term of years; for the payment of the Rents which may be due from them respectively; to commence from the first of January 1827; and you will at any time, within seven years from the date hereof, sell to the proprietor of any Lands held in free and common socage (but to no other person whatever) at twenty years purchase any Quit Rents which may be payable by them respectively, provided that all arrears, up to the end of the year preceding the time of purchase, be previously paid.

"If these Quit Rents are not purchased by the Proprietor, within seven years from the date hereof, further instructions will be given in regard to the sale by Auction, or otherwise, as may then be deemed expedient."

WM. F. ODELL.

SECRETARY'S OFFICE.

5th May, 1827.

His Majesty's Government having determined that a uniform system should be established in disposing of Crown Lands, in all His Majesty's North American Provinces, and having transmitted to His Excellency the Lieutenant-Governor and the Commissioner of Crown Lands, orders and instructions for the guidance of the Governor and for the observance of the Commissioner in carrying the same into effect, Public Notice is hereby given, that the disposal of Crown Lands will hereafter be conducted in conformity with the following notice, and that from and after this date the regulations therein contained will be strictly adhered to.

REGULATIONS FOR GRANTING LANDS IN THE BRITISH NORTH AMERICAN PROVINCES.

FOR the information of Persons desirous of proceeding as Settlers to His Majesty's Provinces in North America, the following summary of the Rules which have been established for the future regulation of Grants of Land, has been prepared by direction of the Earl Bathurst, His Majesty's principal Secretary of State for the Colonial Department.

The Commissioner of Crown Lands will, from time to time, and at least once in every Year, submit to the Governor a Report of the total quantity of each district of Crown Property, so far as he may then have ascertained the same, together with his opinion of each description of Property which it may be expedient to offer for Sale within the then ensuing Year, and the upset price per Acre at which he would recommend the several descriptions of Property to be offered, provided that the Land proposed to be offered for Sale does not contain any considerable quantity of Timber fit for His Majesty's Navy, or for any other purposes, it being the intention that no Grant of the Land upon which such Timber may be growing should be made until the Timber is cleared.

If the Governor should be pleased to sanction the Sale of the whole or any part of the Land recommended to be sold at the upset price proposed, or at any other price which he may name, the Commissioner of Crown Lands will proceed to the Sale in the following manner.

He will give public Notice in the Gazette, and in such other Newspaper as may be circulating in the Province, as well as in any other manner that circumstances will admit of, of the time and place appointed for the Sale of the Lands in each District, and of the upset price at which the Lots are proposed to be offered, that the Lots will be sold to the highest Bidder, and if no offer should be made at the upset price, that the Lands will be reserved for future Sale in a similar manner by Auction.

That no Lot should contain more than 1200 estimated Acres.

The Purchase Money will be required to be paid by Four Instalments, without Interest; the First Instalment at the time of the Sale, and the Second, Third, and Fourth Instalment, at intervals of a Year.

If the Instalments are not regularly paid the Deposit Money will be forfeited, and the Land again referred to Sale.

Purchasers of Land at any Sale not exceeding Two hundred Acres, being unable

to advance the purchase Money by Instalments, as proposed, the Commissioner may, permit the purchaser to occupy the same upon a Quit Rent, equal to Five per Cent. upon the Amount of the Purchase Money, One Year's Quit Rent to be paid at the time of Sale, in advance, and to be paid Annually in advance afterwards; upon the failure of the regular payment, the Lands to be again referred to Auction, and sold. The Quit Rent upon Lands so purchased in this manner, to be subject to Redemption, upon payment of Twenty Years' Purchase, and Parties to be permitted to redeem the same by any number of Instalments not exceeding Four, upon the payment of not less, at any one time, than Five Years amount of Quit Rent, the same proportion of Quit Rent to cease.

In case, however, the Parties should fail regularly to pay the remainder of the Quit Rent, the same to be deducted from the Instalment paid, and the Lands to be re-sold by Auction, whenever the Instalment may be absorbed by the accruing payment of the remainder of the Quit Rents.

Public Notice will be given in each District, in every Year, stating the Names of the Persons in each District who may be in Arrears, either for the Instalments of their Purchases or for Quit Rents, and that if the Arrears are not paid up before the commencement of the Sales in that District for the following Years, the Lands, in respect of which the Instalments or Quit Rents may be due, will be the First Lot to be exposed to Auction, at the ensuing Sales; and if any surplus of the produce of the Sale of each Lot should remain, after satisfying the Crown for the sum due, the same will be paid to the original Purchasers of the Land who made default in payment.

No Land will be granted at any other time than at the current Sales in each District, except upon application from Poor Settlers, who may not have been in the Colony more than Six Months preceding the last annual Sale; Settlers so circumstanced, may be permitted to purchase Land, not exceeding Two hundred Acres each at the price at which it may have been offered at the last Annual Sale, and not purchased, and may pay for the same, or by Quit Rent computed at Five per Cent. on the Sale price, and thenceforth these Persons shall be considered as entitled to all the privileges, and be subject to the same obligations as they would have been subject to if they had purchased the Land at the last Sale.

In cases of Settlers who shall be desirous of obtaining Grants of Land, in distinct Districts not surveyed, or in Districts in which no unredeemable Grant shall have been made, the Commissioner of Crown Lands will, under the authority of the Governor, at any time within a period of Seven Years from the date hereof, grant permission of occupancy to any such Settlers, for Lots of Land not exceeding Two hundred Acres, upon consideration that they shall pay a Quit Rent for the same, equal to Five per Cent. upon the estimated value of the Land at the time such occupancy shall be granted, and the persons to whom claims of occupancy shall be made, shall have liberty to redeem such Quit Rents at any time before the expiration of the Seven Years,

upon the payment of Twenty Years purchase of the amount; and at any time after the termination of the Seven Years, upon the payment of any Arrear of Quit Rent which may be then due, and Twenty Years purchase of the Annual amount of the Rent.

No Patent will be granted until the whole of the Purchase Money shall have been paid, nor any Transfer of the Property made, except in case of Death, until the whole of the Arrears of the Instalments or Quit Rent shall have been paid.

The Purchase Money for all Lands, as well as the Quit Rents, shall be paid to the Commissioner of Crown Lands, or to such Person as he may appoint, at the times and places to be named in the condition of the Sale.

The public are in consequence advised that no Petitions for Land will be received in any of the Public Offices after this date. All petitions which have been compiled with previously to the receipt of the new regulations, will be completed to Grants, and lists of the applicants names will be inserted in the Gazette to advertize the parties to take out their Grants without delay.

So soon as the Commissioner of Crown Lands shall have submitted to His Excellency the Lieutenant-Governor, the portions or tracts of Land in the several Districts of the Province which will first be offered for sale, public notice will be given of the situations of the Land; the terms and conditions of sale, and of all other details necessary for the full information of the public.

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, which stands prorogued to the second Tuesday in June next, has nearly completed the period of its constitutional existence, and it is expedient now to call a New Assembly, I have thought fit to dissolve this General Assembly, and the same is hereby accordingly dissolved, of which all Persons whom it may concern will take due notice.

Given under my Hand and Seal at Fredericton, the twenty-fourth day of May, in the Year of our Lord one thousand eight hundred and twenty seven; and in the eighth Year of His Majesty's Reign.

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