THE NEW-BRUNSWICK ROYAL GAZETTE.

[Volume V.] TUESDAY, 4th MAY, 1819. [Number 10.]

The Gazette.

By His Excellency Major-General GEORGE STRACEY SMYTH, *Lieutenant-Governor and Commander in Chief of the Province of New-Brunswick, &c. &c. &c.*

(L.S.)

G. S. SMYTH.

A Proclamation.

HAVING received information that very many and great Trespasses have been committed, and are daily committing, on the Crown Lands in this Province, by Cutting and Felling the White Pine Trees growing thereon, without Licence for that purpose first had and obtained, contrary to the Acts of Parliament in such case made and provided: I have, by and with the advice of His Majesty's Council, deemed it expedient to give directions to the proper Officers, for the seizing of all Timber, Masts or Logs, made from such Trees so cut and felled without His Majesty's Licence;

And to issue this Proclamation: hereby requiring all Magistrates and other public Officers, and all others His Majesty's Subjects in this Province, to be aiding and assisting to all and every of those Persons who have been, or hereafter may be, duly appointed and empowered by Commission under the Great Seal or otherwise, to seize and detain, for His Majesty's use, such Timber, Masts and Logs, as by the same Acts of Parliament are declared to be forfeited and liable to seizure.

Given under my Hand and Seal at Fredericton, the twelfth day of April, in the Year of our Lord one thousand eight hundred and nineteen, and in the fifty-ninth Year of His Majesty's Reign.

By His Excellency's Command,
H. H. CARMICHAEL,
Dep.-Sec.

(BY AUTHORITY.)

The following Extracts from Acts of the Parliament of Great-Britain are published by order of His Excellency the LIEUTENANT-GOVERNOR, *for the information of all concerned.*

H. H. CARMICHAEL,
Dep.-Sec.

Fredericton, 12th April, 1819.

Statute passed in the eighth Year of the Reign of King *George the First*, Cap. 12, § 5.

'AND whereas the Laws already made and still in Force, for the Preservation of White Pine-Trees in his Majesty's Colonies of *New-Hampshire*, the *Massachusets Bay*, and Province of *Main*, *Rhode-Island*, and *Providence Plantation*, the *Narraganset* Country, or *King's Province*, and *Connecticut* in *New-England* and *New-York*, and *New Jersey* in *America*, for the Masting the Royal Navy, have been found insufficient for that Puspose, so that a further Provision is necessary to be made therein; And forasmuch as there are great Numbers of White Pine-Trees fit for Masting the Royal Navy, growing in his Majesty's Province of *Nova-Scotia* in *America*;' Be it therefore enacted by the Authority aforesaid, That from and after the twenty-first Day of *September* one thousand seven hundred and twenty-two, no Person or Persons within the said Colonies or Plantations of *Nova-Scotia*, *New-Hampshire*, the *Massachusets Bay*, and Province of *Main*, *Rhode-Island*, and *Providence Plantation*, the *Narraganset* Country, or *King's Province*, and *Connecticut* in *New-England*, and *New-York*, and *New-Jersey* in *America*, or within any of them, do or shall presume to cut, fell or destroy any White Pine-Trees, not growing within any Township, or the Bounds, Lines or Limits thereof, in any of the said Colonies or Plantations, without his Majesty's Royal Licence for so doing first had and obtained; on Pain that every Person so cutting, felling and destroying such Pine-Trees, or who shall be aiding or assisting therein, or in drawing away the said Pine-Trees, after the same shall have been so cut, felled or destroyed, shall, for every such Offence, forfeit and pay the several and respective Sums following; That is to say, for every White Pine-Tree of the Growth of twelve Inches Diameter and under, at three Foot from the Earth, the Sum of five Pounds; for every such Tree, from twelve Inches to eighteen Inches Diameter, the Sum of ten Pounds; for every such Tree, from eighteen Inches to four and twenty Inches Diameter, the Sum of twenty Pounds; and for every such Tree, from four and twenty Inches Diameter and upwards, the sum of fifty Pounds; which several Penalties and Forfeitures shall and may be sued for within six Months after the Offence committed, by Plaint or Information, upon the Oath of one or more credible Witness or Witnesses, before the Judge of the Admiralty, or his Deputy, within the Colony or Plantation where such Pine-Tree shall be cut, felled or destroyed; one Moiety of such Penalties and Forfeitures to be to his Majesty, his Heirs or Successors, the other Moiety to the Informer who shall sue for the same; and in case any Dispute shall arise whether such Tree, when cut, felled or destroyed, was growing within any Township, or the Bounds, Lines or Limits thereof as aforesaid, the Proof shall lie upon the Owner; and on Conviction of such Offender for such Offence as aforesaid, if he shall refuse or neglect to pay the Penalty and Forfeiture thereby incurred by the Space of twenty Days after such Conviction, that then such Judge or his Deputy shall and may, by Warrant under his Hand and Seal cause the same to be levied by Distress and Sale of the Goods of the Offender, rendering the Overplus, if any be, to the Owner; and when no sufficient Distress can be found, such Judge or Deputy shall commit the Offender to Prison, within the Colony or Plantation where such Offence shall be committed, there to remain without Bail or Mainprize, during such Time as such Judge or Deputy shall appoint, not exceeding twelve Months, nor less than three Months or until such Offender shall pay the Penalty or Sum of Money so recovered; and after such Payment made, shall likewise find sufficient Security for his good Behaviour during the Space of three Years, to be accounted from the Time of such his Conviction: And it is hereby declared, That all White Pine-Trees, Masts or Logs made from such Trees, which from and after the said one and twentieth Day of *September* one thousand seven hundred and twenty-two shall be found cut or felled without such Licence as aforesaid, in any of his Majesty's said Colonies or Plantations, shall be forfeited and seized for the Use of his Majesty, his Heirs and Successors; any former Law, Usage or Custom to the contrary notwithstanding.

Statute passed in the second Year of the Reign of King *George the Second*, Cap. 35, § 1.

'WHEREAS by an Act passed in the eighth Year of his late Majesty's Reign, intituled, *An Act giving further Encouragement for the Importation of naval Stores, and for other Purposes therein mentioned*, it is enacted, That no Person or Persons whatsoever, within any of his Majesty's Colonies of *Nova-Scotia*, *New-Hampshire*, the *Massachusets Bay*, the Province of *Main*, *Rhode Island*, and *Providence Plantation*, the *Narraganset Country*, or *King's Province*, and *Connecticut*, in *New England*, and *New-York*, and *New Jersey* in *America*, or within any of them, do or shall presume to cut, fell or destroy any white Pine Trees not growing within any Township, or the Bounds, Lines or Limits thereof, in any of the said Colonies or Plantations, without his Majesty's Royal Licence for so doing first had and obtained: And whereas since the passing of the said Act, great Tracts of Land, where Trees fit for Masting grow, have been, in order to evade the Provisions of the said Act, erected into Townships:' Now for the better Preservation of white Pine Trees in his Majesty's said Colonies, for Masting his Royal Navy, be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-ninth Day of *September* next, no Person or Persons within the said Colonies of *Nova-Scotia*, *New-Hampshire*, the Province of *Main*, the *Massachusets Bay*, *Rhode-Island*, and *Providence Plantation*, the *Narraganset Country*, or *King's Province*, and *Connecticut*, in *New-England*, and *New-York*, and *New-Jersey* in *America*, or within any of them, or in any other Province or Country in *America* that now belongs or hereafter shall belong to the Crown of *Great Britain*, do or shall presume to cut, fell or destroy any white Pine Trees, except only such as are the Property of private Persons, notwithstanding the said Trees do grown within the Limits of any Township laid out or to be laid out hereafter, in any of the said Colonies or Plantations, without his Majesty's Royal Licence for so doing first had and obtained.

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 in 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.

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. } Trustees.

Saint Andrew, 6th April 1819.

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.

	lb.	oz.
THE Shilling Wheaten Loaf 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.

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.

NEW-BRUUNSWICK.

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 *Subpœna*, 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, Jun.
Plaintiff's Solicitor.

HOUSE OF COMMONS, MARCH 5.

HALF PAY.

Mr. Lyttleton wished to ask the Hon. Lord opposite, (Lord Palmerton,) whether any resolution had been come to regarding the oath to be taken by Officers on Half-Pay at the time of receiving their Half-Pay.

Lord Palmerston had not been able to give a satisfactory account last Session, to a similar question from the Hon. Gentleman. He trusted, however, that that he had to make now, would be perfectly satisfactory. He now had it in his power to tell the Hon. Member, that it had been thought expedient so far to relax the rule referred to, that whereas by the present regulation, no officer could receive his Half-Pay without making an affidavit that he held no other place of emolument, civil or military, under His Majesty, it had been resolved to substitute an oath, that he held no office, civil or military, under the Crown exceeding three times the amount of his Half-Pay, which was computed to be equal to about twice the amount of his full pay; and considering that the greater number of officers, particularly in ferior ones had little chance of future employment, he hoped the House would not look upon the amended regulations as too liberal.

Mr. Lyttleton said, the answer of the noble Lord was entirely satisfactory.

Alderman Wood begged to know whether any regulation had been adopted, re-