THE NEW-BRUNSWICK ROYAL GAZETTE

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The Gazette.

NOTICE.

By Command of His Excellency the LIEUTENANT-GOVERNOR.

THE Persons now occupying ST. ANDREWS ISLAND, in PASSAMAQUODDY BAY, and all others whom it may concern, are hereby required to shew cause before the LIEUTENANT-GOVERNOR 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 establishment, 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 Northumberland 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 communication 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 Lieutenant-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 Supervisors 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 Supervisors 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Be it therefore further enacted, that the said tenth section of the same Act be, and the same is hereby repealed.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 expences have been incurred, owing to the great number of Supervisors 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 *Be it therefore further enacted*, that the third section of the same Act be, and the same is hereby repealed: and that the persons therein named, be no longer deemed as Supervisors, but that their powers as such do cease, and be at an end; saving where they may be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 recovery of any forfeiture and penalties inflicted and incurred under and by virtue of the Provisions of the same Act; and saving their liability to account for the monies entrusted 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 limitations 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 appoint, by and with the advice of His Majesty's Council, other fit person, or persons in the room of such Supervisor of Supervisors so deceased or removed from Office.

VII. *And be it further enacted*, that no Supervisor to be be appointed under and by virtue of this Act, shall on any account whatever 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 expenditure 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, Westmorland, Saint John and King's; with the exception of that part of the Great Road which lies between the Le Proe River and the City of Saint John: the other District 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 Proe 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 office.

X. *And be it further enacted*, that if any person or persons 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 levied by warrant of distress and sale of the offenders 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 committed, there to remain for a term not exceeding eight days, which penalty, when recovered, shall be paid to the Supervisor, for the use of the Great Roads within his district.

LEGISLATURE OF NEW-BRUNSWICK.

[Extracts from the Journal.]

Monday, 20th March—(continued.)

To Warren Hatheway, the sum of £22 : 10, being amount of drawback on five puncheons rum, containing 600 gallons exported in the American schooner Miller Anthony Brooks master, in the year 1817.

To William M'Donald, the sum of £29 : 11, being amount of a bond given by him for the transient duty on sundry articles imported into this Province, in 1819.

To Wm. Abrams, the sum of £86 : 6, to relieve him from a transient duty demanded by the Deputy-Treasurer at Miramichi.

To Hugh Johnston & Co. the sum of £138 : 9 : 3, being a drawback on 300 puncheons rum, containing 33131 galls. exported to Quebec in the year 1819.

To Alexander Edmund & Isaac Lawton Bedell, the sum of £27 : 17 : 6, being drawback on six puncheons of rum, containing 641 galls. exported by them in the American schooner Lydia to the United States, and withheld by the Province Treasurer in consequence of an informality in the vouchers relating to this exportation.

To Peter Stewart, the sum of £42 : 6 : 8, to relieve him from a transient duty demanded by the Deputy-Treasurer at Miramichi.

To the President and Members of the Emigrant Society in the Town of Fredericton, the sum of £100, to aid their laudable exertions in extending relief to indigent and suffering Emigrants.

To His Excellency the Lieutenant-Governor, the sum of £35, to defray the expense of the Ferriages of Couriers from Fredericton to Halifax and St. John, in the years 1818 and 1819.

That in the Committee the following resolution was moved and seconded, to wit:

Resolved that there be granted to His Excellency the Lieutenant-Governor or Commander in Chief for the time being, the sum of £ for the purpose of defraying the expenses of the Judges of the Supreme Court, incurred by them in holding the Circuit Courts for the last year, in the distant Counties.

On the question the Committee divided as follows:

Yeas.—Mr. *M'Kay*, Mr. *Campbell*, Mr. *Wetmore*, Mr. *Speaker*, Mr. *Ward*, Mr. *Johnston*, Mr. *Crandal*, Mr. *Easterbrooks*.

Nays.—Mr. *Fraser*, Mr. *Dow*, Mr. *Saunders*, Mr. *Allen*, Mr. *Miles*, Mr. *Yeamans*, Mr. *Humbert*, Mr. *Wheeler*, Mr. *Smith*, Mr. *Perley*, Mr. *Freeze*.

On motion of Mr. *Fraser*, resolved that the sum of £30, granted on the 17th February ultimo, towards improving the road to the Pennyack settlement, do commence at Henry White's upper line, on the easterly side of the River Nashwaik.

On motion of Mr. *Ward*, resolved that the sum of £12 : 10, be paid out of the sum of £50 granted upon the road leading from the head of Hammond river towards Hopewell, to John Wiley, a settler on said road, having performed work on said road to that amount.

The House resolved itself into a Committee on the further consideration of supplies to be granted for the public service.

Mr. *Agnew*, chairman of the Committee, reported the following resolutions:

Resolved that there be granted to the Hon. A. Lockwood, the Surveyor-General of this Province, the sum of £50, to defray the expence of office rent.

To Robert Ferguson, the sum of £85 : 15, to remunerate him for his expense and services as one of the Commissioners for opening that part of the road leading from Nepisiguit to Restigouche.

To the President and Directors of the Grammar School in the Town of St. Andrews, the sum of £200, to enable them to discharge the debt incurred by them in erecting a building for the accommodation of the Scholars.

To James Taylor, the sum of £8 : 11 : 3, to repay that amount advanced by him in addition to a subscription which he obtained to amount of £22 : 18 : 9, for assisting the settlement of eighty Emigrants, by finding them provision and paying their passage into the country from the port of St. John.

To the Hon. A. Lockwood, Surveyor-General of this Province, the sum of £50, for his extra labor and service in completing a plan of the survey of the Isthmus between the waters of the Saint Lawrence and Chignecto Bay, and to defray the balance due over and above the former grant of £150.

Mr. *Smith*, from the select Committee to examine and liquidate and port on public and private accounts, further reported as follows:

S, is Charles Duff's account with affidavit, one of the Supervisors of the Great Road from Fredericton to Nepisiguit, for the expenditure of £284 : 5. There are vouchers for £175 : 15. In his account he charges £26 for his own services. He gives credit for £154 : 16 : 5½ from Peter Fraser, Esq. granted in 1816, also a warrant on the Treasury in 1819, for £233 : 6 : 8—which leaves a balance in his hands £103 : 18 : 1½. No report accompanies this account.

T, is vouchers of Nathaniel H. De Veber's, (sent forward since making the report of the 10th instant) as Supervisor of the Great Road from Fredericton to Westmorland, to amount of £536 : 9 : 2.

The House, according to order, resolved itself into a Committee of the whole House, on the Bill, "to authorize the Justices of the Peace of the County of York, in General Sessions assembled, to levy an assessment on the Inhabitants of the said County, for erecting a County Poor-House in the Parish of Fredericton."

Mr. *Wheeler*, chairman of the Committee reported that after going thro' a part of the Bill, the Committee had directed him to report as their opinion, that the further consideration thereof be postponed for three months.

Tuesday, 21st March.

Mr. *Humbert*, brought in a Bill, "to appropriate a part of the public revenue for the services therein mentioned."

Mr. *Agnew*, from the select Committee to which His Excellency's message accompanied by the report of the Surveyor-General and his and several accounts of Deputy-Surveyors, for laying out Lots for Emigrants, was referred, reported,

That Mr. Lockwood's account for surveying 1700 acres of land, about 3 miles south of the Washademoac, agreeably to His Excellency's warrant, No. 490, is a correct account, amounting to £20 : 2 : 6.

The account of Mr. George West, for surveying 42 lots, amounting to £59 : 10. is overcharged £3 : 5, agreeably to the notice taken of it by the Surveyor-General—making the sum of £56 : 5.

The account of Adam Allan, Esq, for surveying 44 lots, marking a road and plan of the country from the Oromocto to the Nerepis, with the necessary expenses incurred for this service, amounting to £63 : 1 : 3, ought, under the circumstances alluded to by the Surveyor-General, who subscribes the account, to be regarded as correct.

Another account of Mr. George West, for surveying 100 lots, on the road leading from Saint John to Saint Andrews, amounting to £183 : 5, is overcharged £9 : 12 : 6, making £173 : 12 6, agreeably to the recommendation of the Surveyor-General—(vide the account.)

Colin Campbell's account, to the amount of £21 : 10, is reduced by the Surveyor-General, for reasons assigned by him, to the sum of £20 : 5, which the Committee think correct.