

THE ROYAL GAZETTE.

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FREDERICTON, NEW BRUNSWICK, WEDNESDAY, OCTOBER 20, 1841.

Number 13



By Authority.

By His Excellency Lieutenant Colonel Sir WILLIAM MACBETH, GEORGE COLEBROOKE, K. H., Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.

W. M. G. COLEBROOKE.

A PROCLAMATION.

WHEREAS the GENERAL ASSEMBLY of this Province stands prorogued to Tuesday the twenty first day of September instant, I have thought fit further to prorogue the said GENERAL ASSEMBLY, and the same is hereby prorogued to the third Tuesday in December next.

Given under my Hand and Seal at Fredericton, the fifteenth day of September, in the year of our Lord one thousand eight hundred and forty one, and in the fifth year of Her Majesty's Reign.

By His Excellency's Command.

WM. F. ODELL.

By His Excellency Lieutenant Colonel Sir WILLIAM MACBETH, GEORGE COLEBROOKE, K. H., Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.

W. M. G. COLEBROOKE.

A PROCLAMATION.

WHEREAS a Proclamation, bearing date the twenty ninth day of July last, was issued, commanding all Persons who have illegally occupied any Lands reserved by the Crown for the benefit of the Indians, forthwith to quit the same, and to abstain from cutting or removing Timber therefrom; And whereas it is expedient furthermore effectually to prevent the infraction of the prohibition; I do therefore hereby require and strictly command all Persons whatsoever to abstain from cutting or removing any Timber from the said reserved Lands without Licence, or from otherwise trespassing thereon upon any pretence whatsoever; And I do further require and command all seizing Officers to be vigilant in detecting any trespasses that may be committed on any of the said reserved Lands, and promptly to seize all Timber that may be found to have been cut thereon, without Licence for that purpose first obtained.

Given under my Hand and Seal at Fredericton, the sixteenth day of August, in the year of our Lord one thousand eight hundred and forty one, and in the fifth year of Her Majesty's Reign.

By His Excellency's Command.

WM. F. ODELL.

By His Excellency Lieutenant Colonel Sir WILLIAM MACBETH, GEORGE COLEBROOKE, K. H., Lieutenant Governor and Commander in Chief of the Province of New Brunswick, &c. &c. &c.

W. M. G. COLEBROOKE.

A PROCLAMATION.

WHEREAS a Proclamation, bearing date the twenty sixth day of July in the year of our Lord one thousand eight hundred and thirty seven, was issued by the Lieutenant Governor, forbidding all persons from occupying any part of the Wild Lands within this Province, comprehending the Territory in dispute between Great Britain and the United States of America, known under the denomination of the *Disputed Territory*, or trespassing thereon by cutting Timber or otherwise; And whereas by another Proclamation, bearing date the twenty second day of October in the year of our Lord one thousand eight hundred and thirty nine, this prohibition was repeated, and the Warden of the said Territory was duly appointed and authorized to arrest, seize, take and destroy all Timber which might be cut in violation thereof; And whereas it is deemed necessary that the aforesaid prohibition should continue to be strictly enforced; I do hereby call upon and direct all Peace Officers and other Liege Subjects of Her Majesty within this Province to be aiding and assisting in enforcing the same, and also in effecting the seizure of any Timber cut in violation of the aforesaid Proclamations by any persons whatsoever.

Given under my Hand and Seal at Fredericton the twenty ninth day of June in the year of our Lord one thousand eight hundred and forty one, and in the fifth year of Her Majesty's Reign.

By His Excellency's Command.

WM. F. ODELL.

The following Despatch and Convention are published by order of His Excellency the Lieutenant Governor. WM. F. ODELL. Secretary's Office, Oct. 12, 1841.

[CIRCULAR.]

Downing Street, Sept. 6, 1841.

SIR,—I have the honor to transmit for your information, three copies of a Convention of Commerce and Navigation between Great Britain and the Hans Towns, of which the ratifications were exchanged on the 28th ult., and I am to direct you to take such steps as may be necessary for carrying the provisions of this Convention into effect in the Colonies under your Government. I have, &c.

STANLEY.

Lt. Gov. Sir W. M. G. Colebrooke, K. H. &c. &c. &c.

CONVENTION OF COMMERCE AND NAVIGATION BETWEEN HER MAJESTY AND THE HANS TOWNS.

Signed at London, Aug. 3, 1841.

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, on the one part, and the Senates of the Free Hanseatic Cities of Lubeck, Bremen, and Hamburg, (each State for itself separately,) on the other part, being desirous of improving and extending the commercial intercourse between their respective subjects and citizens, have, with this view, and in conformity with the stipulations of the VIIIth Article of the Convention of Commerce and Navigation between Great Britain and the Free Hanseatic Republics, signed at London on the 29th of September, 1825, resolved to conclude a Convention, which shall be considered as Supplementary to the above mentioned Convention of 1825.

Her Britannick Majesty and the said Free Hanseatic Republics have therefore named as their Plenipotentiaries for this purpose, that is to say:—

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Henry John Viscount Palmerston, Baron Temple, a Peer of Ireland, a Member of Her Majesty's Most Honourable Privy Council, Knight Grand Cross of the Most Honourable Order of the Bath, a Member of Parliament, and Her Britannick Majesty's Principal Secretary of State for Foreign Affairs;

And the Senates of the Free Hanseatic Cities of Lubeck, Bremen, and Hamburg, Edward Banks, Doctor of Laws, a Member of the Senate, and one of the Syndicks of the Free Hanseatic City of Hamburg, &c. &c.

Who, after having communicated to each other, their respective Full Powers, found in good and due form, have agreed upon and concluded the following Articles:—

ARTICLE I.

The Senates of the Free Hanseatic Cities of Lubeck, Bremen, and Hamburg, hereby agree, that British vessels coming from countries not being part of the Dominions of Her Britannick Majesty, shall henceforward, together with their cargoes, be admitted into the Ports of Lubeck, Bremen, and Hamburg; and such vessels shall, on their admission, pay dues not higher nor other than those which shall be paid, in similar circumstances, by vessels belonging to Lubeck, Bremen, or Hamburg; and the duties to be paid upon the cargoes of such British vessels, shall not be higher nor other, than if such cargoes had been imported in vessels belonging to Lubeck, Bremen, or Hamburg. And in consideration thereof, Her Britannick Majesty agrees that, from and after the date of the exchange of the Ratifications of this present Convention, the vessels of the said Free Hanseatic Republics of Lubeck, Bremen, and Hamburg, when coming from Hanseatic ports, shall, together with their cargoes, be admitted into the ports of all Her Britannick Majesty's Possessions; and such vessels shall, on their admission, pay dues not higher nor other, than those which shall be paid, in similar circumstances, by British vessels; and the duties to be paid upon the cargoes of such Hanseatic vessels, shall not be higher nor other, than if such cargoes had been imported in British vessels.

ARTICLE II.

In consideration of the privileges extended to British Trade and Navigation, by the First Article of the present Convention, Her Britannick Majesty further agrees, that all goods, wares, and merchandize, being the produce of the States of the Free Hanseatic Cities of Lubeck, Bremen, and Hamburg, or of the other States of the Germanick Confederation, or of the States comprised in the Germanick Union of Customs, and which may be imported in any foreign vessels, from the ports of Lubeck, Bremen, and Hamburg, or from any port situated on the Elbe or Weser, into the ports of the British possessions abroad, including Gibraltar and Malta, shall also be permitted to be imported from the said ports of the Free Cities of Lubeck, Bremen, and Hamburg, into the ports of the said British possessions abroad, (including Gibraltar and Malta,) in vessels belonging to Lubeck, Bremen, and Hamburg, built, owned, and navigated, as stipulated in the Fifth Article of the Convention of Commerce and Navigation, con-

cluded on the 29th September, 1825, between Great Britain, on the one part, and the Free Hanseatic Cities of Lubeck, Bremen, and Hamburg, on the other part; and such goods, wares, and merchandize, being the produce of the Free Hanseatic Republics, or of the other States of the Germanick Confederation, or of the States of the Germanick Union of Customs, and so imported in Hanseatic vessels, into the ports of the said British possessions abroad, (including Gibraltar and Malta,) and all goods, wares, and merchandize, exported in Hanseatic vessels, built, owned, and navigated as aforesaid, from the ports of the British possessions abroad, (including Gibraltar and Malta,) to any foreign country whatever, shall pay no other or higher duties, than if the same were imported or exported in British vessels.

ARTICLE III.

The present Convention, which shall be considered as Supplementary to the Convention concluded between Great Britain and the Free Hanseatic Republics on the 29th of September, 1825, shall be ratified, and the Ratifications shall be exchanged at London, as soon as possible, within the space of six weeks.

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at London, the third day of August, in the year of our Lord one thousand eight hundred and forty one.

PALMERSTON.

BANKS.

(L.S.)

(L.S.)

IN COUNCIL, October 2, 1841.

The undermentioned applicants for the purchase of Crown Lands, may have the tracts applied for by them on the following terms, if payment be made before the 7th day of December next, and five shillings additional will be charged on each purchase, for postage, &c.

RESTIGOUCHE.

John Walker, 3s. per acre, down.
Daniel Malcolm, do.
Duncan Dewar, do.
Duncan McDonald, do.
Felix Murray, do.
Charles McDonald, do.
Thomas Murray, do.

GLOUCESTER.

Eucher Savoy, 3s. per acre, down.
John Norton, Jr. do.

RENT.

James Morton, Jr. 3s. per acre, down.

WESTMORELAND.

Graham Walton, 3s. per acre, down.
Peter Hartnett, do.
Jeremiah M'Carthy, do.
Owen M'Garvie, do.
Patrick White, do.
John O'Sullivan, do.

SAINT JOHN.

William Watt, 3s. per acre, down.
Donald Ross, do.
Robert Paul, do.
James Adams, do.
John Connolly, do.
J. E. Alexander, do.
George Walker, do.
John Howe, do.
William Adams, do.
William Carrell, do.
Edward Gamble, do.
Benbow Ferguson, do.
John Alexander, do.
John Murphy, do.
William Hazelwood, do.
James Watt, do.

CHARLOTTE.

Justus Dunham, 3s. per acre, down.

KING'S.

John Keenan, 3s. per acre, down.
Daniel Shanessy, do.
John Dempster, do.
John Keller, do.

YORK.

Thomas Murther, 3s. per acre, down.

CARLETON.

James M'Allister, 3s. per acre, down.

The lands applied for by the undermentioned persons, will be sold at Public Auction at this Office on Monday the 6th day of December next, (see advertisement.)

E. & J. Jennings. Bridget Dowd.
Robert Good. Patrick Corfield.
Geo. Henderson. David Corfield.
Alex. M'Laggan. John F. W. Winslow.
John Scully. Silas Ledurney.
John M'Beath, Sr. Michael M'Lauchlan.
Geo. Sprague. Wm. M'Hugh.
John Welch. Thomas Lindsey.
Edward Welch. John Lindsey.
Wm. Wheaton. Barnabas Blanch.
Richard Hughes.

The Petitions of the undermentioned persons are deferred for want of Survey:—

George Cowie. C. Vautour.
Andrew Cowie. H. Lent.
Robert Cowie. Abram Gueguen.
David Wilson. F. Gueguen.
John Wilson. P. Keenan.
Thomas Wilson. J. Matthews.
Robert Wilson. A. Ransburrow.

William Wilson. John Brown.
William Ward. Thomas Oats.
Andrew Stewart. Benjamin James.
John C. Sherwood. D. Rankin.
Abel Fowler. J. B. Martin.
Wm. Jones, Jr. John Killen.
Dennis M'Corrigan. James Kerr.
Richard Cloney. P. Louis.
H. Martin. W. Murray.
John Parker. J. Young.
G. M. Porter. J. Holland.
John J. Thompson. George Moors.
M. Holland. A. Brockway.
A. McDonald. R. F. Porier.
A. M'Pherson. Henry Hall.
E. Thibodeau. George Corbet.
J. Goudien. R. Gliden.
M. Thibodeau. T. Thibodeau.

The answers to the Petitions of the undermentioned persons are as follow:—

W. Hogan, to have 50 acres at 3s. per acre, down, being that part of the lower half of lot 23, on which he resides.

John Lynch, to have the land at 3s. per acre, down, but no allowance on account of the money he states to have paid, there being no record of the same.

R. Hughes, to have 100 acres, at 3s. per acre, down, and remainder at Auction.

John F. W. Winslow, allowed for the 100 acre tract, at Auction. Upset price, 3s. per acre, and referred to the Surveyor General for further information, as to Tracy's improvements.

Sol. Vail, allowed until the close of next Session of the Legislature to pay for the Land. Barnabas Blanch, allowed as regards the grant of Land purchased by Patrick Blanch, and also for the adjoining 100 acres, at Auction. Upset price, 3s. per acre.

Anne M'Lauchlan, not allowed, but that the Lot in question be not disposed of to any other person at present.

John Kelly, Resolved, That the Order in Council in November last, respecting this Land, in favor of R. Richardson, be rescinded, and that Petitioner be allowed to purchase the Land at 2s. 6d. per acre, down.

John M'Bean, allowed credit for £20.

John Davidson, Ordered, That the Bond given by Todd and Demill, be forthwith collected, and Petitioner's dues on the Timber paid to him; and that the question as regards Shepherd Carey stand over.

John F. Taylor, Ordered, That the collection of the Bond be postponed for one month.

A Rankin, Ordered, That Petitioner and Mr. Cunard, be each allowed to take off the Timber they have manufactured, and that the ground between the head of the Pokemouche and the South Branch of the Caraquet be equally divided between them, Mr. Cunard having the Caraquet side, and Mr. Rankin the Pokemouche side, and that Mr. Cunard pay the expense of the Survey.

J. Tozer, Ordered, That he have leave to remove the Timber already cut, and that he apply for such further quantity as he requires in the usual way.

Pickard & M'Keen, not allowed, the Surety on the Bond not having joined in the Petition.

A. S. Phair, not allowed, the Land being reserved for the location of Emigrants.

F. E. Beckwith, not allowed.

John Ash, do.

John M'Mahan, do.

Isaac Garcelon, do.

James E. Cutler, do.

James Ryan, do.

James Albee, do.

I. & J. G. Woodward, do.

D. Hartt, do.

D. L. Kelly, do.

Thos. Hartt, do.

Stephen Hafey, allowed.

The applications of the undermentioned persons for licence to cut Timber and Logs on Crown Lands, are complied with, on payment of the duty before the 7th day of December next:—

James Taylor, Tobique, Ranger Settlement.
W. LeBarrenet, Hanwell.
S. D. Nevers, New Canaan.
J. Malcomb, N. W. Miramichi.
D. Perley, Swan Creek.
John M'Kay, New Canaan.
A. Elkin, Perley Brook.
S. Gardner, Coal Creek.
F. Stratton, New Canaan.
S. Mitchell, S. W. Miramichi.
J. Ritchie, Charlo.
J. Cunard, Little S. W. Miramichi.
P. Seelye, Magagundavic.
G. Graves, Pollet River.
A. S. Carman, Little River.
A. Rankin, Muzzoll's Brook.
John Fish, Piskahagan.
L. Clark, New Canaan.
J. Wilson, Taxes River.
S. K. Nason, Rushagons.
J. Allanshaw, Magagundavic.
John Shea, Tobique.
G. Baldwin, Magagundavic.
C. Perley, Eel River.
C. Connell, River Saint John.
M. Hillman, Dumfries.

The Timber Berths applied for by the undermentioned persons in the following situations, will be offered at Public Auction, for general

competition, at this Office, on Monday the 6th December next, at 12 o'clock, noon.

TERMS.—Ten per cent of the Tonnage to be paid at the time of sale, and the remainder within 14 days after.

R. Ritchie, Upsalquitch.
A. Ritchie, Upsalquitch.
J. Cunard, Renous River.
J. Taylor, Kingsclear.
D. Perry, New Canaan.
G. Morrow, Magagundavic.
D. Hartt, Oromocto Lake.
G. Morrow, Oromocto Lake.
G. Morrow, Yoho, Lyon Stream, Oromocto.
G. Morrow, Shin Creek.

The following Tracts of vacant Crown Land will be offered at Public Auction, at this Office, on Monday the 6th December next. Sale to commence at 12 o'clock, noon.

TERMS.—Upset price, 3s. per acre, ten per cent of the purchase money to be paid at the time of sale, and the remainder within 14 days after.

200 acres, Gloucester, Lots Y Z, New Bandon.

100 acres, Gloucester, Lot 9, first tier, New Bandon.

120 acres, Northumberland, Lot 39, South side of Big Sewogic.

150 acres, Northumberland, East part of Lot 2, South side Bartholomew River.

100 acres, Northumberland, Lot 7, Semi-wagon Ridge.

50 acres, Northumberland, on a Branch of Black River, surveyed for John M'Beath, Sr.

150 acres, Westmorland, Lot 47, second tier, North of Bay Verte.

100 acres, Westmorland, Lot N, second tier, North of Bay Verte.

100 acres, Westmorland, Lot M, second tier, North of Bay Verte.

100 acres, Westmorland, on a Branch of New Canaan, surveyed for W. Wheaton.

12 acres, Saint John, in Lot O, Block 1, rear of Quaco.

50 acres, Charlotte, East of New River, joining Vernon's grant.

100 acres, Sunbury, Lot 4, range 3, Victoria.

100 acres, Sunbury, Lot 1, range 3, Victoria.

100 acres, Carleton, Lot 21, fifth tier, Williamston.

200 acres, Carleton, Lots 15 and 16, seventh tier, Richmond.

200 acres, Carleton, Lot 24, seventh tier, Williamston.

200 acres, Carleton, Lot 23, seventh tier, Williamston.

200 acres, Carleton, Lot 25, seventh tier, Williamston.

200 acres, Carleton, Lot 22, seventh tier, Williamston.

100 acres, Westmorland, at Square Lake, Botsford, next P. Blanch.

JOHN S. SAUNDERS,

Surveyor General.

Crown Land Office, Oct. 5, 1841.

IN COUNCIL, 2d October, 1841.

ORDERED, That the Surveyor General give notice that periodical sales of Lands, already surveyed, will be held monthly, at Public Auction; and that due notice of the days of sale be given. The upset price to be three shillings per acre, to defray the expense of the survey.

Extract from the Minutes.

(Signed) W. H. ODELL.

The following tracts of vacant Crown Land will be offered at Public Auction, at this Office, on Monday the 1st day of November next. Sale to commence at 12 o'clock, noon.

TERMS.—Upset price, 3s. per acre,—ten per cent of the purchase money to be paid at the time of sale, and the remainder within 14 days after.

100 acres, Northumberland, between Napan and Black Rivers, South of Wm. Jardine.

200 acres, Northumberland, S. E. Branch of Black River, as surveyed for John Sinclair.

100 acres, Northumberland, South side of Napan River, next Lot 35.

100 acres, Westmorland, West Branch of Coverdale River, as surveyed for W. Bannister.

200 acres, Westmorland, Lots 6, 7, third tier, Des Barres tract.

200 acres, King's, being Lot 3, North Branch of Studholm's Mill Stream, South of Hon. W. Chipman.

50 acres, King's, S. W. of Lot 6, Kennebecasis Island.

100 acres, King's, Lot 17, third tier, Parish of Norton.

50 acres, Queen's, West of Nerepis Road, in rear of Lots 6, 7.

300 acres, Queen's, Lots 4, 5, North side of Coal Creek, and Lot 9, South side ditto.

100 acres, Queen's, Lot 12, 4th tier, Parish of Wickham.

45 acres, York, N. E. part of Lot 2, S. E. side of St. Andrews Road, Garden's Creek.

14 acres, Kent, Lots 12, 13, third tier, St. Nicholas, Town Plat. Upset price, 10s. per acre.

JOHN S. SAUNDERS,

Surveyor General.

Crown Land Office, September 6, 1841.