



# The Royal Gazette.

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FREDERICTON, N. B., WEDNESDAY, FEBRUARY 7, 1872.

[PAGE 32

Official Notifications appearing in this Paper, duly authenticated, are to be received as such by the persons whom they may concern



BY AUTHORITY.

By The Honorable LEMUEL ALLAN WILMOT,  
D. C. L., Lieutenant Governor of the Province of New Brunswick.

L. A. WILMOT.

## A PROCLAMATION.

WHEREAS the General Assembly of this Province stands prorogued to Thursday the eighth day of February next, I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued accordingly to Thursday the twenty ninth day of February next, then to meet at Fredericton for the dispatch of business.

Given under my Hand and Seal at Fredericton, this thirty first day of January, in the year of our Lord one thousand eight hundred and seventy two, and in the thirty fifth year of Her Majesty's Reign.

By Command of the Lieutenant Governor.

GEORGE L. HATHEWAY.

COPY of an Extract of a Report of a Committee of The Honorable the Privy Council, approved by His Excellency the Governor General in Council on the 22nd January, 1872.

The Committee of Council have had under consideration the annexed Report, dated January 20th, 1872, from the Honorable the Minister of Justice, and for the reasons given therein they advise that the several Acts passed by the General Assembly of the Province of New Brunswick in the month of May 1871, in the 34th year of Her Majesty's Reign, be left to their operation.

Certified.

(Signed)

WM. H. LEE, *Clk. P.C.*

The Hon. the Secretary of State  
for the Provinces, &c. &c.

[ Extract from Report of Minister of Justice. ]

DEPARTMENT OF JUSTICE,  
Ottawa, January 20th, 1872.

Numerous Petitions to His Excellency the Governor General from the Roman Catholics of New Brunswick, most respectably signed, have been received, praying that the Act, Chapter 21, intituled "An Act relating to Common Schools," be disallowed.

The grounds upon which this prayer are based, are—

1. That the Act will greatly destroy or greatly diminish the educational privileges which Catholics enjoyed at the time of the passing of the British North America Act, and subsequently.

2. That the pecuniary Grants hitherto made to the Graded Schools have been taken away, although to these Grants Catholics may in most cases be fairly regarded as having prescriptive right.

Now the Provincial Legislatures have exclusive powers to make laws in relation to Education, subject to the provisions of the 93rd clause of the "British North America Act." Those provisions apply exclusively to the denominational, separate, or dissentient Schools; they do not in any way affect or lessen the

power of such Provincial Legislatures to pass laws respecting the general Educational system of the Province.

The Act complained of is an Act relating to Common Schools, and the Acts repealed by it apply to Parish, Grammar, Superior, and Common Schools.

No reference is made in them to separate, dissentient, or denominational Schools, and the undersigned does not, on examination, find that any Statute of the Province exists establishing such special Schools.

It may be that the Act in question may operate unfavorably on the Catholics, or on other religious denominations, and if so it is for such religious bodies to appeal to the Provincial Legislature, which has the sole power to grant redress.

As, therefore, the Act applies to the whole School system of New Brunswick, and is not specially applicable to denominational Schools, the Governor General has, in the opinion of the undersigned, no right to interfere.

As to the second objection, respecting pecuniary Grants, those must of course be under the annual supervision of the Legislature, which has the sole power to deal with the public funds, unless by special enactment those grants have been conferred for a specified period by an Act of the Legislature.

In such case the Grant might be considered in the nature of a contract, and the repeal might be held to be a breach of that contract.

The undersigned does not find that any such statutory contract has been made. Under the circumstances he is therefore of opinion that no other course is open to the Governor General than to allow the Act to go into operation.

All which is respectfully submitted.

(Signed) JOHN A. MACDONALD.

(No. 687.)

CROWN LAND OFFICE, 30th Aug. 1871.

NOTICE is hereby given, That all parties claiming Crown Lands under money purchases made prior to 16th March 1868, whereon one or more instalments were paid, are required to make payment of the respective balances due thereon before the 1st of July, 1872; otherwise, after that date, all such Lands will again be considered vacant and open to re-sale.

And all purchases made prior to said 16th March 1868, under the old Labour Act, and not yet granted, will also be cancelled on said 1st day of July 1872, and the Lands again become vacant, unless the parties interested do previously furnish this Office with the usual certificates from the Labour Act Commissioners, that all the conditions of payment, improvement, and residence, have been fully complied with.

(10m)

BENJ. R. STEVENSON, *Sur. Gen.*

(No. 718.)

CROWN LAND OFFICE, 31st Jan. 1872.

LICENSES to expire on the 1st July, 1872, for the following Timber Berths, will be sold at this Office, at noon, on Wednesday the fourteenth day of February next. Upset price—Six Dollars per square mile.

Not to interfere with Lots of Land improved or partly paid for, nor with any surveyed Lots for which the Returns were received at this Office before the date of application for Licence.

All Timber, Logs or other Lumber cut upon Unlicensed Crown Lands, or which may be cut by any person beyond the limits of his own Berth, shall be seized and forfeited to the use of the Crown; and no Timber or Lumber shall be cut on any Berth applied for until it be purchased at Public Auction.

No.	Situation.	Sq. M.	Name.
420	On or near Head of Muinec R.; Lots 12 & 13, between Glebe Lot H and lot granted to E. Hallet, in 2nd tier, E. of River Saint John, also begin. at Sn. angle of Glebe Lot H aforesaid, thence magt. E. $\frac{3}{4}$ m., S. $1\frac{1}{2}$ m., W. to rear line of River Saint John Lots, Nly. along said rear line $1\frac{1}{2}$ m., and E. to beginning,	2	V. W. Tippet.
421	Gaspereau R.; S. W. $\frac{1}{4}$ B. 39,	2	T. G. O'Connor.
422	Nepisiguit R.; vacancy in E. $\frac{1}{2}$ of Bk. 14, R. 16,	2 $\frac{1}{2}$	J. Costigan.

(2w)

BENJ. R. STEVENSON, *Sur. Gen.*