



# THE ROYAL GAZETTE.

FREDERICTON, NEW-BRUNSWICK, TUESDAY, FEBRUARY 17, 1829.

## By Authority.

**H**IS Excellency the Lieutenant-Governor having found it necessary to bring under the consideration of His Majesty's Government, the present system of disposing of the Crown Lands in this Province, with a view to the obtaining of further Instructions thereon, has thought proper for this purpose to suspend the same: Public Notice is therefore hereby given, by order of His Excellency, that no more Sales under that system will take place, after this date, until further orders.

Fredericton, 10th January, 1829.

## By Authority.

**W**HEREAS in pursuance of the provisions of an Act of Parliament, passed in the sixth year of the Reign of His present Majesty, cap. 114, the Collector and Comptroller of His Majesty's Customs, at the Port of St. Andrews, have appointed a Barn belonging to Messrs. Jones & Co., of Saint Andrews aforesaid, for the purpose of warehousing Live Stock, from and after this date.

Public notice, therefore, is hereby given, by order of His Excellency the Lieutenant-Governor, for the information of all concerned.

Dated the twenty-fifth day of September, in the year of our Lord one thousand eight hundred and twenty-eight.

## By Authority.

**W**HEREAS the appointment of a Warehouse belonging to Messrs. Scott, McLaughlin and Co. in Saint Andrews, as published in the Royal Gazette of the 22d April last, has been revoked: And Whereas the Collector and Comptroller of His Majesty's Customs at the Port of Saint Andrews, have appointed a Warehouse belonging to Mr. John Wilson, in pursuance of the directions contained in the Act 6. Geo. 4. Cap. 114, for the purposes of the said Act.

Public Notice therefore is hereby given by order of His Excellency the Lieutenant Governor, for the information of all concerned.

Dated the twelfth day of December, in the year of our Lord One thousand eight hundred and twenty eight.

SECRETARY'S OFFICE, 4th August, 1828.

**W**HEREAS in compliance with an Address to His Excellency the Lieutenant-Governor, founded on a Resolution of the House of Assembly of this Province at their late Session: His Excellency has been pleased to appoint Thomas Heavyside, of the City of Saint John, Esquire, to audit and examine the several accounts of expenditure of the public money of the Province, and to call for all necessary information relating thereto: Therefore all persons in any way concerned are hereby required to take due notice of this appointment, and submit their respective accounts for examination to Mr. Heavyside, who will report his proceedings to His Excellency in order that the same may be laid before the General Assembly at their next session.

By order of His Excellency,

The Lieutenant-Governor,

WM. F. ODELL.

By the Honorable John Murray Bliss, Esquire, one of His Majesty's Justices of the Supreme Court for the Province of New-Brunswick.

To all whom it may concern, Greeting:

**N**OTICE it hereby given, that upon the application of John Allen, and William Edwards, to me duly made according to the form of the Act of Assembly, in such case made and provided; I have directed all the Estate as well real as personal within this Province of Thomas Abell, and Thomas Waite, late of the City of Saint John, Merchants, which said Thomas Abell, and Thomas Waite, are departed from and without the limits of this Province, or are concealed within it, with intent and design to defraud the said John Allen, and William Edwards, and the other creditors of the

said Thomas Abell, and Thomas Waite, if any there be, or there just dues, or else to avoid being arrested by the ordinary process of the Law, as it is alleged against them, to be seized and attached, and that unless the said Thomas Abell and Thomas Waite, do return and discharge their said debt or debts within three months from the publication hereof, all the Estate as well real as personal of the said Thomas Abell and Thomas Waite, within this Province, will be sold for the payment and satisfaction of the Creditors of the said Thomas Abell, and Thomas Waite.

Dated at the City of Saint John, this ninth day of October one thousand eight hundred and twenty-eight.

N. PARKER, Atty.  
for Petitioning Creditors.

J. M. BLISS

## By Authority.

An Act to prevent the failure of Justice, by reason of variances between Records and Writings, produced in Evidence, in support thereof.

Passed 10th February, 1829.

**W**HEREAS great expense is often incurred, and delay or failure of Justice takes place at Trials, by reason of variances between writings produced in Evidence, and the recital or setting forth thereof, upon the Record or Pleadings on which the trial is had, in matters not material to the merits of the case, and such Record or Pleadings, cannot now, in any case, be amended at the Trial, and in some cases, cannot be amended at any time: For remedy thereof;

**I. Be it enacted by the Lieutenant-Governor, Council, and Assembly,** That it shall and may be lawful for every Court of Record, holding Plea in Civil actions, any Judge, sitting at Nisi Prius, and out of Oyer and Terminer and General Gaol delivery, in this Province, if such Court or Judge, shall see fit so to do, to cause the Record or Pleading, on which any trial may be pending, before any such Judge or Court, in any Civil Action, or in any Indictment or Information for any Misdemeanor, when any variance shall appear between any matter in Writing or in Print produced in evidence, and the recital and setting forth thereof upon the Record or Pleading, whereon the Trial is pending, to be forthwith amended in such particular, by some officer of the Court, on payment of such costs (if any) to the other party, as such Judge or Court shall think reasonable; and thereupon the Trial shall proceed as if no such variance had appeared; and in case such Trial should be had at Nisi Prius, the order for the amendment shall be endorsed on the Postea, and returned, together with the Record; and thereupon the papers, rolls, and other Records of the Court, from which such Records issued, shall be amended accordingly.

An Act further to continue an Act, intituled "An Act more effectually to provide for the support of a nightly Watch in the City of Saint John."

Passed 10th February, 1829.

**I. Be it enacted by the Lieutenant-Governor, Council, and Assembly,** That an Act passed in the fifty-sixth Year of the Reign of His late Majesty King George the Third, intituled "An Act more effectually to provide for the support of a nightly Watch in the City of Saint John," be, and the same is hereby further continued and declared to be in force until the first day of April, which will be in the Year of Our Lord one thousand eight hundred and thirty-two.

An Act to continue the Laws for regulating the Fisheries, in the County of Northumberland.

Passed 10th February, 1829.

**I. Be it enacted by the Lieutenant-Governor, Council, and Assembly,** That a certain Act passed in the thirty-ninth Year of the Reign of His late Majesty King George the Third, intituled "An Act for regulating the Fisheries in the County of Northumberland;" and also a certain other Act passed in the fifty-sixth Year of the Reign of His said Majesty, intituled "An Act in amendment of an Act, intituled 'An Act for regulating the Fisheries in the County of Northumberland;'" and also a certain other Act passed in the fourth Year of the Reign of His present Majes-

ty, intituled "An Act in further amendment of the Laws for regulating the Fisheries in the County of Northumberland;" so far as the said several Acts are now in force, be, and the same are hereby continued, and declared to be in force until the tenth day of May, which will be in the Year of Our Lord one thousand eight hundred and thirty-four.

An Act to continue an Act, intituled "An Act for the regulation of Booms for securing Masts, Logs, and Lumber, in certain parts of the County of Northumberland."

Passed 10th February, 1829.

**I. Be it enacted by the Lieutenant-Governor, Council, and Assembly,** That an Act passed in the fourth Year of His Majesty's Reign, intituled "An Act for the regulation of Booms for securing Masts, Logs, and Lumber, in certain parts of the County of Northumberland, be, and the same is hereby continued and declared to be in full force until the tenth day of May, which will be in the Year of Our Lord one thousand eight hundred and thirty-four.

An Act to continue "An Act for granting Bounties on Grain raised on New Land."

Passed 10th February, 1829.

**I. Be it enacted by the Lieutenant-Governor, Council, and Assembly,** That an Act made and passed in the seventh Year of His Majesty's Reign, intituled "An Act for granting Bounties on Grain raised on New Land," be, and the same is hereby continued, and declared to be in force until the first day of May, which will be in the Year of Our Lord one thousand eight hundred and thirty-three.

An Act further to continue until the first day of April, one thousand eight hundred and thirty-five, "An Act to authorize the Justices of the Peace in their General Sessions, to establish Ferries in their respective Counties."

Passed 10th February, 1829.

**I. Be it enacted by the Lieutenant-Governor, Council, and Assembly,** That an Act made and passed in the fifty-eighth Year of His late Majesty's Reign, intituled "An Act to authorize the Justices of the Peace, in their General Sessions, to establish Ferries in their respective Counties," be, and the same is hereby further continued and declared to be in full force until the first day of April, which will be in the Year of Our Lord one thousand eight hundred and thirty-five.

An Act to authorize the extension of the Gaol Limits in the City of Saint John.

Passed 10th February, 1829.

**W**HEREAS it is considered proper that Debtors confined within the Limits of the Gaol of the City and County of Saint John, should be allowed to have access to such of the places of Public Worship within the said City, as are not already contained within the Limits authorized by Law:

**I. Be it therefore enacted by the Lieutenant-Governor, Council, and Assembly,** That it shall and may be lawful for the Justices of the Peace of the said City and County, at any General Sessions of the Peace, or Special Sessions for that purpose to be holden, to extend the Limits of the Gaol of the said City and County, so as to comprehend and include the Street called Wellington-Row, and the whole of the Church or Chapel, called Saint John's Church, situate at the extremity of such Row; and also so much of Germaine Street as lies to the Northward of a line drawn through the Centre of Queen Street, where it intersects Germaine Street; and to comprehend and include the Presbyterian Kirk or Church, called Saint Andrew's Church, and the Area lying immediately in front of the same; and also the Baptist Meeting-House, situate at the Corner of Germaine Street and Queen Street; and the Ground in front of the same, extending to the Centre of Queen Street aforesaid.

**II. And be it further enacted,** That it shall also be lawful for the said Justices, at any General or Special Sessions as aforesaid, further to extend the said Limits, so as to comprehend and include the Dwelling House of James White, Esquire, High Sheriff of the said City and County, and the Office of the said Sheriff, contiguous to the same; and also so much of the Street as extends from the line of Union Street to the Northern side of the said Office.