

CAP. XVIII.

An Act further to amend the Act relating to the support and relief of confined debtors.

Passed 19th March 1833.

BE it enacted by the Lieutenant Governor, Council and Assembly, That it shall and may be lawful for either the Mayor or Recorder of the City of Saint John to carry into execution the several provisions of the Act for the support and relief of confined debtors, and the several Acts in amendment and continuation thereof, as fully and completely as any two Justices of any of the inferior Courts of Common Pleas for the several Counties of this Province, might or could do by virtue of the several Acts aforesaid.

II. And whereas no Judge of His Majesty's Supreme Court of Judicature of this Province, and no Judge of the inferior Court of Common Pleas of the County of Gloucester, resides within fifty miles of the shire Town of the said County of Gloucester, where the common gaol of the said County is situated, by reason whereof great delay and inconvenience may be endured by unfortunate persons confined in the said gaol in making application for, and obtaining the relief intended by the Acts of this Province made and passed for the relief of insolvent confined debtors; For remedy whereof, Be it further enacted, That it shall and may be lawful from henceforth for any three of His Majesty's Justices of the Peace of the said County of Gloucester to receive all such examinations and make all such orders touching or concerning any person or persons confined or who may be hereafter confined in the said County gaol, or on the limits of the same, and who shall or may make application for the benefit of the said Acts made for the relief of insolvent confined debtors, as two Judges or a Judge and Justice of the Peace could or might lawfully receive or make in all matters in any wise appertaining or concerning the Acts of the General Assembly of this Province made for the relief of insolvent confined debtors.

III. And be it further enacted, That every confined debtor may make application for support under and by virtue of the said Act, of which this is an amendment, immediately or at any time after the said debtor may be put in confinement, instead of waiting fourteen days, the time now required by the said Act.

IV. And be it further enacted, That this Act shall continue in force so long as the said Act to which this is an amendment and no longer.

CAP. XIX.

An Act in addition to an Act for making Process in Courts of Equity effectual against persons who reside out of this Province, and cannot be served therewith.

Passed 19th March 1833.

WHEREAS it frequently happens that persons resident without the limits of the Province, are necessary Parties, Defendants, in Suits in the Court of Chancery, brought for the foreclosure or redemption of Mortgages on lands situate in the Province, and for other matters: And Whereas doubts have arisen whether the provisions of an Act passed in the forty-eighth year of the reign of His late Majesty King George the Third, intitled "An Act for making Process in Courts of Equity effectual against persons who reside out of this Province, and cannot be served therewith," extend to persons who have never been resident within the Province; and it is deemed expedient to make further and other regulations relative to non-residents;

I. Be it enacted by the Lieutenant Governor, Council and Assembly, That if in any suit which has been or hereafter shall be commenced in the said Court of Chancery, any Defendant or Defendants, against whom any Subpoena or other Process shall issue, shall not cause his, her or their appearance to be entered upon such Process, within such time and in such manner as according to the rules of the said Court, the same ought to have been entered, in case such Process had been duly served, and it shall be made to appear on affidavit to the satisfaction of the said Court, that such Defendant or Defendants do not reside within the Province, but have a known place of residence elsewhere, which shall be stated in such affidavit, then and in such case the said Court may make an order directing and appointing such Defendant or Defendants to appear at a certain day therein to be named; and a copy of such order shall, within fourteen days after such order made, be inserted in the Royal Gazette, published by the King's Printer in this Province, and shall continue to be inserted in the same Gazette for so long a time as the Court shall direct, not less than three months; and a copy of such order shall, within one year next after the making of the same, be served on the Defendant or Defendants, either personally, or by leaving the same at the residence of the said Defendant or Defendants with some person belonging to the family or living in the house of the said Defendant or Defendants; and if such Defendant or Defendants do not appear within the time limited by such order, or within each further time as the Court shall appoint, then, on proof made of such publication and service of such order as aforesaid, the Court being satisfied of the truth thereof may order the plaintiff's Bill to be taken pro confesso, and make such decree thereon as shall be thought just and proper, and may thereupon issue Process to compel the performance of such decree as is in and by the said recited Act provided: Provided always, that if the Defendant or Defendants reside in the United Kingdom or any other part of Europe, or in the West Indies, such service shall be made at least three calendar months before the day therein named for appearance; and if the Defendant or Defendants reside in any part of the United States of America, or in any of the British North American colonies, such service shall be made at least two calendar months before the day of appearance; and if the Defendant or Defendants reside in any other part of the world, such service shall be made at least six calendar months before the day of appearance.

II. And be it enacted, That proof of such service may be made by affidavit or affidavit, to be taken and subscribed before any Judge of the Court of King's Bench, Common Pleas, or Exchequer, or before the Lord Chancellor, Master of the Rolls, or Vice Chancellor, or any Master of the High Court of Chancery, or Mayor of any City, Borough, or Town Corporate in England or Ireland; before any Lord of Session or other Superior Judge, or any Provost or other Chief Magistrate of any City, Borough, or Corporate Town in Scotland; before any Judge of the Supreme or Superior Court, or Master of the Rolls in any British colony; or before any Superior Court, or any Judge thereof, in the United States of America, or any other Foreign Country: Provided always, that such affidavit or affidavits, if taken in any Foreign Country, be authenticated by a certificate under the hand and seal of the British Ambassador, Envoy, Minister, Consul, or Vice Consul, and if taken within any part of the British Dominions, by a certificate under the Hand and Seal of some Public Notary, to the satisfaction of the said Court of Chancery.

CAP. XVI.

An Act to authorize the Justices of the Peace for the County of Northumberland to make rules and regulations respecting the Bass fishery in that County.

Passed 19th March 1833.

WHEREAS it is necessary that an Act should be made and passed authorizing the Justices of the Peace in the County of Northumberland, to make rules and regulations respecting the manner in which Bass shall be taken in the rivers in that County, and to impose such fines and penalties as they may deem proper to enforce the performance of such rules and regulations;

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 in the County of Northumberland, in their General Sessions to make such rules and regulations as they may deem proper respecting the Bass fishery in any of the rivers of said County, and also to enforce the rules and regulations so to be made, by such fines and penalties as may be imposed, not exceeding for any one offence the sum of three pounds, to be recovered before any one of His Majesty's Justices of the Peace for the said County, to be levied by warrant of distress and sale of the offender's goods and chattels, and for want thereof, to commit such offender to the common Gaol of the County for a term not exceeding twelve days, unless the fine, costs and charges be sooner paid: Provided always, that such regulations are not contrary to, and do not interfere with the regulations and restrictions contained in any Act of Assembly.

II. And be it further enacted, That this Act shall continue and be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and thirty five.

CAP. XVII.

An Act to divide the Parish of Kent, in the County of Carleton, into five Towns or Parishes.

Passed 19th March 1833.

WHEREAS the Parish of Kent, in the County of Carleton, is so extensive and populous, as to render the performance of the duties of the Parish Officers therein inconvenient and burdensome;

Be it enacted by the Lieutenant Governor, Council and Assembly, That the said Parish of Kent shall be and the same is hereby divided into five Towns or Parishes, which Towns or Parishes shall be and hereby are named and bounded in the manner hereinafter mentioned and described, any Law to the contrary notwithstanding:

The first Town or Parish to be called, known and distinguished by the name of Kent, and to be abutted and bounded as follows:—Southwesterly, by the northern boundary line of the Parish of Brighton; Westerly, by the river Saint John; Northerly, by a line running due East from the said river Saint John, at the division line between the lots numbers forty and forty-one, granted to John Marro, nearly opposite to the mouth of the river De Chute; and Easterly, by the boundary line of the said County of Carleton.

The second Town or Parish to be called, known and distinguished, by the name of Wicklow, and to be abutted and bounded as follows:—Southwesterly, by the northern boundary line of the Parish of Wakefield; Easterly, by the river Saint John; Northerly, by the river DeChute, following the course of the said river to the boundary line of the said County; and Westwesterly, by the boundary line of the said County of Carleton.

The third Town or Parish to be called, known and distinguished, by the name of Perth, and to be abutted and bounded as follows:—Southwesterly, by the northern boundary line of the said Parish of Kent; Westerly, by the river Saint John; Northerly, by a line running due East from the mouth of Little River, where it empties into the river Saint John; and Easterly, by the boundary line of the said County of Carleton.

The fourth Town or Parish to be called, known and distinguished, by the name of Andover, and to be abutted and bounded as follows:—Southwesterly, by the river DeChute aforesaid; Easterly, by the River Saint John; Northerly, by a line running due West from the point which divides the grant to Alexander Stewart, and the Military Reserve on the river Saint John; and Westerly, by the boundary line of the said County of Carleton.

The fifth Town or Parish to embrace all that part of the said County of Carleton, which lies to the northward of the said two last described Towns or Parishes, on both sides of the river Saint John, and to be called, known and distinguished, by the name of Madawaska.

CAP. XIV.

An Act to authorize the Justices of the Peace for the County of Carleton to assess the said County for erecting a Court House and Gaol therein.

Passed 19th March 1833.

WHEREAS it is necessary that a Court House and Gaol should be erected in the County of Carleton;

I. Be it enacted by the Lieutenant Governor, Council and Assembly, That the Justices of the Peace for the said County, at any General Sessions of the Peace hereafter to be holden, or at any Special Sessions to be for that purpose convened, or the major part of them, be and they are hereby authorized and empowered to contract and agree with able and sufficient workmen, for building and finishing a Court House and Gaol in the said County, and to agree for such sum and sums of money as they may deem meet in order to carry this object into effect; and the said Justices are hereby authorized and empowered to make a rate and assessment of a sum not exceeding seven hundred and fifty pounds, at such times and in such proportions as they shall deem meet, for the erecting and finishing a Court House and Gaol in the same County, the said sum to be assessed, levied, collected, and paid in such proportion and in such manner as any other County rate can or may be assessed, levied, collected and paid, under and by virtue of any Act or Acts in force in this Province for assessing, levying, and collecting rates for public charges.

II. Provided always, and be it further enacted, That no special Session shall be held for any of the purposes of this Act unless five Justices at least are present at the same.

CAP. XV.

An Act to amend the Act relating to the several Churches in this Province, in connexion with the Church of Scotland.

Passed 19th March 1833.

WHEREAS the fifth section of an Act passed in the second year of the reign of His present Majesty, King William the Fourth, intitled "An Act to repeal all the Laws now in force relating to Saint Andrews Church, in the City of Saint John, and for incorporating certain persons, Pewholders of the said Church, and of the several Churches erected or to be erected in this Province, in connexion with the Church of Scotland," is found to be defective and in need of amendment;

I. Be it enacted by the Lieutenant Governor, Council and Assembly,

ROYAL GAZETTE.

FREDERICTON, APRIL 10, 1833.

ALMS HOUSE AND WORK HOUSE.

Commissioner for } GEORGE MINCHIN, Esq.
next week.

SAVINGS BANK.

Trustees for } HENRY G. CLOPPER, Esq.
next week. } JAMES TAYLOR, Esq.
Mr. PETER FISHER.

By Authority.

WHEREAS the Collector and Controller 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 that Act.

PUBLIC NOTICE

Therefore is hereby given, by order of His Excellency the Lieutenant-Governor, for the information of all concerned.
Dated the third day of April in the year of our Lord one thousand eight hundred and thirty-three.

Sale of Valuable Crown Land in the County of Carleton.

By order of His Excellency the Lieutenant-Governor, Public Notice is hereby given, that Three Tracts of Land, situate on the North Branch of the Meduxnick River, in the County of Carleton, and formerly under Reserve for Public Auction, at Mr. J. M. Connell's, in Woodstock, on Saturday the first of June next, at 12 o'clock.

Upset price, five shillings per acre. One fourth of the Purchase money will be required at the time of sale, and the residue in three yearly instalments; and if all be paid down, fifteen per cent will be deducted.

A Patent will not issue until the whole of the Purchase money is paid.

THOMAS BAILLIE,

Commissioner and Surveyor General of Crown Lands and Forests.
Department for Crown Lands and Forests, Fredericton, 6th April, 1833.

We have to apologize to our readers on account of the late hour at which we have been obliged to postpone the issuing of the Gazette to-day.—The affairs of Government having wholly occupied our attention, and, we may add, our over anxiety to fulfil our engagements has led us beyond our usual limits in one publication.

ERRATUM.

In the Road appropriation Act, published in last Gazette, after the grant of £25 for the road from Miltoon, in Saint Stephens, to Sprague's Falls, insert "The sum of fifteen pounds for the road from the public Landing to James Maxwell's in Saint Stephens."

WANTED!

AN Apprentice to the Printing Business—apply to
10th April, 1833.
GEO. K. LUGRIN.

NOTICE.

THE Subscriber hereby informs his friends and the Public generally, that he has removed his mercantile establishment to his Mills at the Pennyock, and as he will necessarily be from Town the most of the time, requests all persons having unsettled accounts with him to call on Mr. Jonathan Taylor and settle the same: Mr. T. may be found at the Store of Smith and Coy, Regent Street.

THOMAS B. SMITH.

Fredricton, 1st April, 1833.

BOARD AND LODGING.

THREE or four respectable young Gentle men can be most comfortably accommodated with Board and Lodging by applying to
WILLIAM MILLER.

Fredricton, April 2, 1833.

LOST.

ON Friday last between Government House and Springhill, a Ladies' Martin Skin of a brownish colour; whoever may find the same and leave it at the Royal Gazette Office will be handsomely rewarded.
Fredricton, 2nd April, 1833.

FLOUR.

THOMAS PICKARD has received a fresh Supply of Flour, which he will sell for cash, at the lowest rate possible.
February 6th.



FESTIVAL OF SAINT GEORGE.

THOSE Members of the Fredericton Society of SAINT GEORGE, who intend to join the Dinner on the 23d instant, are requested to send their names with the names of their guests to the Subscriber on or before Tuesday the 16th instant.
G. F. S. BERTON, Secretary.
Fredricton, 9th April, 1833.

NOTICE.

THE subscribers having entered into Co-partnership, will do business in Fredericton, under the firm of Smith and Coy, in the Store lately occupied by Thomas B. Smith, Regent-street.
THOMAS B. SMITH,
ASA COY.

Fredricton, April 1, 1833.
N. B.—Those indebted to Asa Coy will please call and pay their respective accounts forthwith.

FOR SALE.

THE Subscriber offers for sale, that part of his FARM being part of Lot No. 1 in Kingsclear, lying in the rear of the Highland road containing about 250 acres, of which about 20 are cleared and well enclosed; there are two Houses on the property, and its proximity to the Town renders it a very desirable situation. Terms will be liberal. Apply to H. G. Clapper Esquire, in Fredericton.
J. F. W. WINSLOW.
Woodstock, 1st April, 1833.

TO LET

and possession given the first day of May. THAT very commodious Dwelling House, Store and premises in Waterloo Row, next adjoining the ROYAL OAK INN, to which is attached a good frost proof Cellar, a large Garden, and a very superior well of Water. The whole will be made very comfortable for a family; and as a stand for Business, is inferior to none in Fredericton.—For particulars apply to
GEORGE WOODS.
April 3d, 1833. 3w.

TO LET,

And possession given immediately, THAT pleasantly situated House and premises in Front Row, Fredericton, lately occupied by Mr. Richard Dibblee. For particulars enquire of
GEO. J. DIBBLEE,
Fredricton, April 8, 1833.

PEWS.

A Sale of Pews in Christ Church, Fredericton, will take place on the 1st day of May next, at 12 o'clock.

MARK NEEDHAM,
Church Warden.

April 24, 1833.

NOTICE.

THE Public are respectfully informed, that the undersigned Bakers in Fredericton, having to make our purchases with ready money, can give no longer credit than one week, and all bills will be made out on Saturday night.

JAMES M. WORTMAN,

JOHN WHITE,

FRANCIS WRIGHT,

JOHN LESLIE,

PETER SLEANE,

MICHAEL GARLAND,
Fredricton, 1st April, 1833.

TO LEASE.

A House and Barn and one half of the Farm on which the Subscriber resides, will be leased on the 1st day of May next, for one or more years.
JOHN ROBINSON.
Douglas, 1st April, 1833.

GARDEN, GRASS AND FLOWER SEEDS.

THE Subscriber has just received an assortment of GARDEN, GRASS AND FLOWER SEEDS; which are warranted of last year's growth, and best quality.

JAMES F. GALE, Druggist.
Fredricton, April 2nd 1833.

NOTICE.

THE Subscriber hereby cautions all persons from purchasing two Notes of Hand, drawn by him in favour of Hector Sutherland, both dated 4th Dec. last, and payable, one the first day of April, instant, and the other on the first day of May next, as the said Notes were given without any consideration.
Dated 3d day of April, 1833.
3ws
THOMAS HAZEN.

COLLEGE RENTS.

THE Lessees of the College are requested forthwith to pay to the Subscriber all arrears of rent due from them, respectively, up to the 24th day of March last, and notice is hereby given, that legal proceedings will be taken against all persons neglecting to pay the same, in one month from the date hereof.

GEO. FRED. STREET,
Registrar of the College.
Fredricton, 2d April, 1833.

HOUSE TO LET.

FROM the first day of May next, fronting the MILITARY BARRACKS, in Queen Street, lately occupied by Mr. James Cochran, with two Cellar Kitchens; two Stores with a back room to each; a large Ball Room on the second floor, with two Sitting Rooms in the rear of it; and a Garden containing five Bed Rooms finished in the best manner lately attached to it; stabling for eight Horses, with a spring well and kitchen garden. Terms made known by application to
WILLIAM WYER.
Fredricton, 2d April, 1833.

SEALED Tenders will be received by the Subscribers until 12 o'clock, on Monday the 10th day of May next, for the erection of a new Court House at Burton in Sunbury County.

Plans and Specifications may be seen, and every information obtained by applying to G. F. S. BERTON Esq. Fredericton, E. V. W. CLOWES Esq. Magerville, John HARRIS Esq. Ormoco, or Mr. W. Hubbard, St. John.

T. V. W. CLOWES,
JOHN HAZEN,
G. F. S. BERTON.
Burton, 30th March, 1833.

THE Subscriber will sell by Public Auction at the Market House in Fredericton, on Wednesday the 13th day of May next, at 12 o'clock, noon, the following Land on Sugar Island.

Lot No. 70, and half of Lot No. 71 with 40 acres in addition to the above.
The whole lately belonging to Jeremiah Burpe. Terms of Payment made easy.
Wm. TAYLOR, Auctioneer.
Fredricton, 25th March, 1833.

NOTICE.

THE Co-partnership heretofore existing under the firm of Jackson & Anderson, was this day dissolved by mutual consent, all persons having any demands against the said firm, are requested to render the same to George Anderson, (who continues the business) for settlement; and persons indebted to the said firm will please call and settle with the said firm, without delay.

HENRY JACKSON,
GEO. ANDERSON.
Fredricton, 26th March, 1833.

THE disposed of at Public Sale, by the STEAMER JOHN WARD, — terms moderate. Enquire of
L. A. WILMOT
Fred. 9th Feb. 1833.