



(Continued from our last Page.)

the several lots and quantities of the same by them respectively owned, with a description of the several marks and the places of the said River or its Branches where such Lots of Timber and Logs respectively lie.

II. And be it enacted, That the said Commissioners on receiving the accounts of the said Timber and Logs shall then proceed to make an estimate of the number of men with the necessary tools and provisions required for the River driving, and shall agree with the owners of the said Timber and Logs upon the number of such men, with the quantity of provisions and tools to be respectively furnished by such owners who shall choose to furnish the necessary hands and supplies for driving their own lots of Timber or Logs respectively; and the said Commissioners shall also hire men and purchase tools and supplies for the driving of such Lots of Timber and Logs as the owners thereof may not provide for, making the same payable out of such lots of Timber and Logs in manner hereinafter mentioned; and the said Commissioners shall also agree with and appoint a sufficient number of competent persons as master drivers, to take charge of the several crews and parties as they may by the said Commissioners be distributed on the different parts of the said River and its Branches, which said master drivers with the men under their charge shall be bound to follow the particular instructions of the said Commissioners with respect to the times and places of commencement and operation generally.

III. And be it enacted, That if any separate crew or party driving Timber or Logs shall join any drive under the direction of any of the aforesaid master drivers, such crew or party shall be subject to the directions of the master driver having charge under the said Commissioners of the drive so joined by such separate crew or party; and it shall be the duty of the several master drivers and the men under their direction to drive indiscriminately all Timber and Logs that may fall in their way, as well those lots and marks that have not been reported as those lots that have been reported as aforesaid; and in case any two or more of the said drives shall at any time form a junction and make one entire drive, such large drive so formed shall be put under the direction of such of the aforesaid master drivers as the said Commissioners may please to appoint.

IV. And be it enacted, That it shall be the duty of such Commissioners, upon the arrival of any considerable quantity of Timber in the Boom, and when the season of driving may be considered as over, to call a public meeting of the owners of such Timber and Logs; of which meeting previous public notice shall be given in manner hereinafter provided; at which meeting the said Commissioners shall proceed by the best means in their power to assess the whole amount of expenses of driving such Timber and Logs on the owners of the same respectively, as nearly as may be in proportion to the quantity and distance which the same may have been driven, and also on any quantity that may not be claimed by any owner; and all persons who may have furnished labour or provisions for such driving and all other persons having claims shall render their respective accounts duly attested; which accounts being approved by the Commissioners shall be allowed as a set off against any claim for driving any Timber or Logs belonging to the said persons respectively.

V. And be it enacted, That it shall be the duty of the said Commissioners on completion of the said assessment to publish a list of the persons so assessed by advertisement in some public newspaper and at the upper and lower falls as aforesaid; and where the owner of any lot of Timber or Logs shall be unknown, to include in such list the marks and descriptions of such Timber or Logs respectively; and fourteen days after such notice, it shall be lawful for the said Commissioners or their successors to recover the several amounts assessed by actions at law or to levy the same by sale at auction of a sufficient quantity of such Timber and Logs, giving fourteen days public notice of the time and place of such sale.

VI. And be it enacted, That if any person shall hinder, molest or interrupt any of the said master drivers or any of the men under their direction in the execution of his or their duty, every such person so offending shall on conviction before any two of His Majesty's Justices of the Peace of the County, forfeit and pay to the said Commissioners for the benefit of the River driving a sum not exceeding ten pounds for every such offence, to be levied in the usual manner by the sale of the goods and chattels of such offender; and for want of such goods and chattels whereon to levy, such offender shall be by the said Justices committed to the common Gaol of the County, there to lie without bail or mainprize for a space not exceeding forty days.

VII. And be it enacted, That the said Commissioners at the time of apportioning the several sums so to be paid shall add to the same and reckon therein a reasonable allowance and remuneration for their own services, and also a sum not exceeding the sum of fifty pounds for any contingent expenses that may arise in the course of their proceedings with the River driving, to which fund shall be added the proceeds of the sale of all unmarked Logs or Timber found in the course of driving; a true and correct account of which contingent expenses and also such allowance as they may

retain for their own services, shall be by them laid before the Justices in their General Session in September in each and every year during the continuance of this Act, to be by such Justices confirmed if they consider such charge reasonable and just, or disallowed as they think fit.

VIII. And be it enacted, That the said Commissioners so to be appointed shall continue and be in office until others be by the said Justices appointed in their stead; and if any of them, after having accepted of his said appointment, shall refuse or neglect to perform the several duties herein mentioned such delinquent Commissioner shall on conviction before any two Justices of the Peace be liable to a fine not exceeding twenty pounds, to be levied in the usual manner, and added to the aforesaid fund for defraying contingent expenses.

IX. And be it enacted, That all fines, forfeitures and monies collected by the said Commissioners under this Act, except so much as may be retained by them for services as hereinbefore mentioned, shall be forthwith paid into the hands of the County Treasurer, to remain with him subject to the written order of at least the major part of said Commissioners, to defray the expenses incurred in carrying the provisions of this Act into effect, and not for any other purpose whatsoever; and the said County Treasurer shall render a just and true account to the General Sessions of all monies thus received and paid by him: Provided always, That such County Treasurer shall hold and retain out of such monies five pounds per centum as a remuneration for his trouble.

X. And be it enacted, That the major part of the Commissioners shall be deemed competent to carry into effect all the provisions of this Act, any thing herein contained to the contrary notwithstanding.

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

#### CAP. XXXIV.

An Act to alter the division line between the Parishes of Douglas and Queensbury in the County of York.

Passed 17th March 1835.

WHEREAS much inconvenience is found to result from the present dividing line between the Parishes of Douglas and Queensbury in the County of York;

I. Be it enacted by the Lieutenant Governor, Council and Assembly, That from and after the passing of this Act the division line between the said Parishes shall commence at the south eastern angle of the grant to Jonathan Williams, thence along the lateral boundary of the said grant north twenty-seven degrees thirty minutes west to the rear of the said grant, thence along the said rear to intersect the dividing line of the first and second divisions of the rear lands, thence along the said division line and its prolongation north forty six degrees west until it meet the prolongation of the northern line of Lot number eighty-four in the grant to the Guides and Pioneers, thence along the last mentioned line and its prolongation, north forty-five degrees east until it intersects the River Nashwaak, thence down the said River Nashwaak along the right bank thereof until it meets a line running north from the eastern angle of Lot number one in the grant to Daniel Sawyer and others; the courses above mentioned being severally run by the magnetic meridian.

II. And be it enacted, That any assessment which may have been ordered by the Court of General Sessions of the Peace for the said County, and which is not yet levied and collected, shall be assessed, levied and collected from and upon the Inhabitants of said Parish of Douglas and Queensbury, respectively within the bounds of the said Parishes as established by this Act.

#### CAP. XXXIII.

An Act to erect the North Eastern part of the Parish of Hampton in King's County into a separate and distinct Parish.

Passed 17th March 1835.

WHEREAS the Parish of Hampton in King's County is so extensive as to render the performance of the duties of the Parish Officers therein inconvenient and troublesome;

I. Be it enacted by the Lieutenant Governor, Council and Assembly, That the line dividing the Parishes of Hampton and Norton as described in the second section of an Act passed in the thirty-fifth year of the reign of His Majesty King George the Third, intituled "An Act in addition to an Act, intituled 'An Act for the better ascertaining and confirming the boundaries of the several Counties in this Province, and for subdividing them into Towns or Parishes,'" be prolonged from the centre of the Westmorland Road as in said recited Act is described, until it strikes the line dividing the Counties of Saint John and King's County.

II. And be it enacted, That all that part of the Parish of Hampton in the said County which lies to the northward and eastward of the prolongation of said line; be and the same is hereby erected into a separate and distinct Town or Parish, to be called, known and distinguished by the name of the Town or Parish of Upham, any law, usage or custom to the contrary thereof in any wise notwithstanding.

III. And be it enacted, That the Justices of the Peace for the said County at a special Sessions for that purpose to be holden for the present year, and hereafter at the first General Sessions in each and every year, shall in like manner as for other Towns or Parishes in the said County appoint Parish Officers for the said Town or Parish of Upham, who shall be subject to the same laws and regulations and liable to the same penalties in all respects as Parish Officers in other Parishes are or may be subject or liable to.

IV. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to prevent the recovery of any parish or other dues, assessments, taxes, penalties, fines or monies whatsoever, which may be due, incurred, forfeited or unpaid when this Act shall go into operation, but the same shall and may be paid and recovered in like manner as if this Act had not been made.

#### CAP. XXXIV.

An Act to facilitate the examination of Witnesses before trial in the Supreme Court.

Passed 17th March 1835.

BE it enacted by the Lieutenant Governor, Council and Assembly, That it shall be lawful for the Supreme Court, and the several Judges thereof, in any action depending in such Court, upon the application of any of the parties to such suit, to order the examination on oath upon interrogatories or otherwise before a Judge of the Court or any other person or persons to be named in such order of any witnesses within the Province, or to order a Commission to issue under the seal of the said Court, for the examination of witnesses on oath at any place or places out of the Province, by interrogatories or otherwise, and by the same or any subsequent order or orders to give all such directions touching the time, place and manner of such examination, as well within this Province as without, and all other matters and circumstances connected with such examinations as may appear reasonable and just.

II. And be it further enacted, That when any rule or order shall be made for the examination of witnesses within this Province by authority of this Act, it shall be lawful for the Court or any Judge thereof, in and by the first rule or order to be made in the matter, or any subsequent rule or order, to command the attendance of any person to be named in such rule or order for the purpose of being examined, or the production of any writings or other documents to be mentioned in such rule or order, and to direct the attendance of any such person to be at his own place of abode or elsewhere if necessary or convenient so to do; and the wilful disobedience of any such rule or order shall be deemed a contempt of Court, and proceedings may be thereupon had by attachment, (the Judge's order being made a rule of Court before or at the time of the application for an attachment,) if, in addition to the service of the rule or order, an appointment of the time and place of attendance in obedience thereto, signed by the Judge or person or persons appointed to take the examination, or by one or more of such persons, shall be also served together with or after the service of such rule or order: Provided always, that the service of every such rule, order or appointment shall be by showing to the person whose attendance shall be required the original paper under the hand of the Judge or person issuing the same, and by delivering to such person a copy thereof or a ticket containing the substance thereof; and also that every person whose attendance shall be so required shall be entitled to the like conduct money and payment for expenses as upon attendance at a trial: Provided also, that no person shall be compelled to produce under any such rule or order any writing or other document that he would not be compellable to produce at a trial of the cause.

III. And be it further enacted, That it shall be lawful for any Sheriff, Gaoler or other officer having the custody of any prisoner, to take such prisoner for examination under the authority of this Act, by virtue of a writ of Habeas Corpus to be issued for that purpose, which writ shall and may be issued by the Court or Judge under such circumstances and in such manner as such Court or Judge may now by law issue the writ commonly called a writ of Habeas Corpus ad testificandum.

IV. And be it further enacted, That it shall be lawful for all and every person authorised to take the examination of witnesses by any rule, order or commission made or issued in pursuance of this Act, and he and they are hereby authorised and required to take all such examinations upon the oath of the witnesses, or affirmation in cases where affirmation is allowed by law instead of oath, to be administered by the person so authorised or by any Judge of such Court; and if upon such oath or affirmation any person making the same shall wilfully and corruptly give any false evidence, every person so offending shall be deemed and taken to be guilty of perjury and shall and may be indicted and prosecuted for such offence in the County wherein such evidence shall be given, or in the County of York if the evidence be given out of the Province.

V. And be it further enacted, That it shall and may be lawful for any person or persons to be named in any such rule or order as aforesaid for taking any examination in pursuance thereof, and he and they are hereby required to make, if need be, a special report to the Court touching such examination, and the conduct or absence of any witness or other person thereon or relating thereto; and the Court is hereby authorised to institute such proceedings and make such order and orders upon such report as justice may require, and as may be instituted and made in any case of contempt of the Court.

VI. And be it further enacted, That the costs of every rule or order to be made for the examination of witnesses under any commission or otherwise by virtue of this Act, and of the proceedings thereupon shall be costs in the cause unless otherwise directed either by the Judge making such rule or order, or by the Judge before whom the cause may be tried, or by the Court.

VII. And be it further enacted, That no examination or deposition to be taken by virtue of this Act shall be read in evidence at any trial without the consent of the party against whom the same may be offered, unless it shall appear to the satisfaction of the Judge, on proof by affirmation or viva voce, that the examinant or deponent is out of the Province or dead, or unable from sickness or other infirmity to attend the trial; in all or any of which cases the examinations and depositions certified under the hand of the Judge, Commissioners or other person taking the same, shall stand without proof of the signature to such certificate be received and read in evidence, saving all just exceptions: Provided always, that such examinations or depositions shall be closed up under the seal of the Judge, Commissioner or other person taking the same, and addressed to the Supreme Court, and shall not be opened before the trial without the consent of the parties to the suit.

VIII. And be it further enacted, That the Judges of the Supreme Court may from time to time make and establish such general rules and orders relating to the matters contained in this Act, the same being not repugnant to this Act, as to them may seem expedient.

IX. And be it further enacted, That an Act made and passed in the thirty-first year of the reign of King George the Third, intituled "An Act to enable the Justices of the Supreme Court to issue Commissions for the examining of witnesses out of the Province," be and the same is hereby repealed.

**CENTRAL BANK.**  
**PUBLIC NOTICE** is hereby given that the remaining Instalment of Forty Seven per cent. on the Capital Stock of the Central Bank of New Brunswick, is required to be paid into the hands of the Cashier, at the Bank in Fredericton, on MONDAY, the sixth day of July next.  
By Order of the Board of Directors.  
H. G. CLOPPER, PRESIDENT.  
Fredericton, 11th March, 1835.

**NOTICE.**  
A Meeting of the Creditors of STAIR B. AGNEW, is requested at the Counting Room of JAMES TAYLOR, Esq. in Fredericton, on TUESDAY, the 26th day of April next, for the purpose of arranging their several accounts, and making a final dividend thereon.  
GEO. MINCHIN, } Trustees.  
G. P. BLISS, }  
JAMES TAYLOR, }

**FOR SALE.**  
**300 ACRES** of Wild Land, well covered with Hard Wood, convenient for hauling to Fredericton, and lays in rear of the Property on which the Hon. F. P. Robinson now resides; granted to Peter Clements, who offers the same on reasonable terms. For particulars apply to WILLIAM J. BEDELL, at Fredericton. March 10.

**TO LET,**  
(and possession given the 1st day May next.)  
THAT large and commodious Dwelling HOUSE, Out Houses, and Barn, with a good Garden and Lot attached next adjoining the Artillery Park; belonging to the Estate of the late ROBERT TURNER, and at present occupied by Mr. SAMUEL NEVERS. For further particulars apply to GEORGE TURNER, Esq. Fredericton, March 6, 1835.

**FOR SALE OR TO LET,**  
(and possession given the first May next.)  
THAT two story Dwelling HOUSE situated in King's Street, next below the residence of J. A. MACLAUGHLAN, Esq.—Apply to JOSHUA DUNN. December 16, 1834.

**FOR SALE OR TO LET.**  
(and possession given first May next.)  
THE HOUSE and SHOP, together with a large Barn, Out-Houses, &c. at present occupied by Mr. Peter Pedolin, opposite the old Barracks. Also—That HOUSE and SHOP, adjoining the above, at present occupied by Mr. George H. Hart. For further particulars apply to R. M. JARVIS, Esq. Saint John, or to A. G. STARRITT, Fredericton. 24th February, 1835.

**SOAP & CANDLES.**  
A few 36 and 64 lb. Boxes Liverpool SOAP; also Boxes Liverpool Mould CANDLES, short sizes, for sale by M. MACKINTOSH. Queen Street, Fredericton, } March 24, 1835.

**LAND FOR SALE.**  
ROBERT RANKIN & Co. have a number of Lots of LAND in the County of Carleton, which they wish to dispose of. Any Person wishing to purchase will be informed of the situations and conditions, by applying to WILLIAM J. BEDELL at Fredericton. 24th March, 1835.

**LAND FOR SALE.**  
**TO BE SOLD AT EASY PAYMENTS.**  
A very valuable Tract of LAND, in the Parish of Wakefield, in the second Tier of Lots near the Town of Woodstock, County of Carleton—containing 550 Acres, about 10 acres of which is cleared. Also—150 Acres of excellent Land, in the Parish of Wakefield, in said County, adjoining Mr. Milberry. For further particulars please inquire of RALPH M. JARVIS, Esq. of Saint John, or MARK NEEDHAM, of Fredericton. Fredericton, 10th March, 1835.

**Valuable Property for Sale in the COUNTY OF CARLETON, PARISH OF WAKEFIELD.**  
THAT well known property formerly owned by the late Wm. Dingey, at present in the occupation of Mrs. Dingey, situated on the Bank of the River St. John in the Parish of Wakefield, containing 600 acres more or less: A great portion of the Land is interval, the remainder well wooded, and the soil of a superior quality. The above property will be sold together or in three separate Lots;—for terms and further particulars apply to Captain MacLauchlan or Mr. Gaynor in Fredericton, or to JOHN ROBERTSON. St. John, 24th December, 1834.

**WINES.**  
THE Subscriber has on hand, the following WINES in Bottles; which he is selling at very low prices, viz:—  
CHAMPAGNE; Old ROUSILLON;  
MOSEOT FRONTIGNAC; Old PICARDON;  
CLARET; SAUTERNE; MADEIRA.  
—ALSO—in Cask:  
Superior Old PORT, MADEIRA & SHERRY.  
F. E. BECKWITH.  
26th January, 1835.

**NEW ESTABLISHMENT.**  
GENTLE BOARD AND LODGING.  
THE Subscriber most respectfully begs leave to inform the public, that he has opened an establishment in the house formerly occupied by Mr. A. Stewart, where he offers the public good accommodations and prompt attendance. Travellers and others, will find his terms reasonable, and can be accommodated with private apartments if required. A few permanent boarders will be taken. Good Stabling for horses. P. PEDOLIN.  
N. B. He would further intimate that he has again opened his business in the customary line: His goods are of the first quality and can be had either wholesale or retail. Lunches at noon as usual.  
Fredericton, 24th March, 1834.