

# ROYAL GAZETTE.

FREDERICTON, JUNE 20, 1838.

## Central Bank of New Brunswick.

HENRY G. CLOPPER, Esq. President.  
Director this week.....JOHN T. SMITH.  
Discount Days.....Tuesdays and Fridays.  
Bills or Notes offered for discount must be left at the Bank, enclosed and directed to the Cashier, before two o'clock on Mondays and Thursdays.

## Bank of Fredericton.

ASA COY, President.  
Director this week.....JOSHUA DUNN.  
Discount Days.....Mondays and Thursdays.  
Notes or Bills for discount are to be left at the Bank, enclosed and directed to the Cashier, before 3 o'clock on Saturdays and Wednesdays.

## Saving's Bank.

Trustee for next week.....PETER FISHER.  
Central Fire Insurance Company.

Office open every day, at Mr. Minchin's Brick House, opposite the Parade, (Sunday excepted, from 10 to 2 o'clock.)

B. WOLHAUTER, President.

Committee for the present month.

JOHN S. COY and THOMAS STEWART.

## Alms House and Work House.

Commissioner for the week commencing to-morrow.

CHARLES P. WETMORE, ESQUIRE.



By Authority.

AT THE COURT AT BUCKINGHAM PALACE.

The 20th day of December, 1837.

PRESENT.

The Queen's Most Excellent Majesty,  
Lord Chancellor, Lord President,  
Lord Privy Seal, Lord Steward,  
Lord Chamberlain, Earl of Albemarle,  
Earl of Minto, Lord John Russell,  
Viscount Palmerston,  
Viscount Melbourne,  
Viscount Howick,  
Lord Hill, Lord Glenelg,  
Sir John Lubbock, Bart.

Whereas the Governor of Her Majesty's Province of New Brunswick, with the Council and Assembly of the said Province did in the month of March, 1837, pass three Acts which have been transmitted, intituled as follows, viz.:

No. 1080. "An Act in addition to and in amendment of the Laws now in force for regulating Elections of Representatives to serve in General Assembly in this Province."

No. 1081. "An Act for continuing the General Assembly in this Province in case of the Demise of the Crown."

No. 1082. "An Act to erect part of the County of Gloucester, into a separate and distinct County."

And whereas the said Acts have been referred to the Committee of the Lords of Her Majesty's Most Honourable Privy Council appointed for the consideration of all matters relating to Trade and Foreign Plantations, and the said Committee have reported as their opinion to Her Majesty that the said Acts should receive Her Majesty's special confirmation; Her Majesty was thereupon this day pleased by and with the advice of Her Privy Council, to declare Her special confirmation of the said Acts, and the same are hereby specially confirmed, ratified, and finally enacted accordingly. Whereof the Governor, Lieutenant Governor or Commander in Chief of Her Majesty's Province of New Brunswick, and all other persons whom it may concern are to take notice and govern themselves accordingly.

W. L. BATHURST.

ANNO SEPTIMO GUILIELMI IV. REGIS.

CAP. LV.

An Act in addition to and in amendment of the Laws now in force for regulating Elections of Representatives to serve in General Assembly in this Province.

Passed 1st March 1837.

WHEREAS it is desirable to lessen the number of polling days in holding Elections in this Province, and also to define the several places for polling in the respective Counties;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the tenth section of an Act made and passed in the thirty first year of the reign of His Majesty King George the Third, intituled "An Act for regulating Elections of Representatives in General Assembly, and for limiting the duration of Assemblies in this Province" be and the same is hereby repealed; and in lieu thereof—

II. Be it further enacted, That every Poll which at any Election hereafter holden in any County of this Province shall be demanded, shall commence on the day the same shall be demanded, and shall be duly and regularly proceeded in from day to day, (Sundays and intervening days as hereinafter provided excepted,) without delay or other adjournment in order that all voters present may have an opportunity of being polled; and in case any Candidate or two Electors, at such Election, shall on the first day of holding the Poll, so require, the Poll shall be removed and held at the several places hereinafter appointed in each County; and if the said Poll shall continue unto the eighth polling day inclusive, the same shall on that day be finally closed at or before the hour of three o'clock in the afternoon, and the Sheriff at every such election shall immediately or on the day next after the final close of the Poll, truly and publicly declare the name or names of the person or persons who shall have the majority of votes or such Poll, and shall forthwith make a return of such person or persons unless the Sheriff upon a scrutiny being demanded by any Candidate or any two or more Electors shall deem it necessary to grant the same, in which case it shall and may be lawful for him so to do, and to proceed hereupon, but so that in all cases of an Election every Sheriff having the return of a Writ

of Election shall close such scrutiny and make his return upon such Writ on or before the day on which such Writ is returnable.

III. And be it further enacted, That the following places in the respective Counties shall be and the same are hereby declared to be the places at which the Poll in the respective Counties shall be held (in case the removal of the Poll be demanded as hereinbefore provided) to wit:

IN THE COUNTY OF YORK.

First day—At the County Court House in the Shire Town.

Second day—In the upper part of the Parish of Kingsclear.

Third day—In the upper part of the Parish of Queensbury.

Fourth day—In the upper part of the Parish of Southampton.

Fifth day—On the Keswick Ridge in the Parish of Douglas.

Sixth day—On the Nashwaak in the Parish of Saint Mary's.

Seventh and eighth days—At the County Court House in the Shire Town.

IN THE COUNTY OF WESTMORLAND.

First day—At the Court House in the Shire Town.

Second day—(Allowing one week day to intervene) at or near William Hamilton's in Hopewell.

Third day—In Moncton near the Bend of Peticodiac River.

Fourth day—In Barachois Settlement in Shediac Parish.

Fifth day—At Bay Verte.

Sixth day—In the upper part of Sackville Parish.

Seventh and eighth days—At the Court House in the Shire Town.

IN THE COUNTY OF KENT.

First day—At the Court House in the Shire Town.

Second day—At or near the Ferry over the Great Buctouche River.

Third and fourth days—At or near the Ferry over Cocagne River.

Fifth day—At Kichibouguac near Raymond's mills.

Sixth, seventh and eighth days—At the Court House in the Shire Town.

IN AND FOR THE CITY OF SAINT JOHN.

First and second days—At the Court House in the said City.

Third day—In Carleton.

Fourth, fifth, sixth, seventh and eighth days—At the Court House in the said City.

IN AND FOR THE COUNTY OF SAINT JOHN.

First and second days—At the Court House in the City of Saint John.

Third day—In Carleton.

Fourth day—At Loch Lomond.

Fifth day—At Quaco.

Sixth day—(Allowing one week day to intervene) at the Court House in the said City.

Seventh and eighth days—At the same place.

IN AND FOR THE COUNTY OF SUNBURY.

First and second days—At the Court House in Burton.

Third day—At or near Tilley's in Sheffield.

Fourth day—At or near Thomas Hart's on the north branch of the Oromocto.

Fifth, sixth, seventh and eighth days—At the Court House in Burton.

IN AND FOR KING'S COUNTY.

First day—At the Court House in Kingston.

Second day—At or near Harding's in the Parish of Westfield.

Third day—At or near Gillis' in the Parish of Springfield.

Fourth day—At or near Roache's in the Parish of Sussex.

Fifth day—At or near DeBoo's in the Parish of Upham.

Sixth day—At or near Hampton Ferry.

Seventh and eighth days—At the Court House in Kingston.

IN AND FOR THE COUNTY OF CHARLOTTE.

First day—At the Court House in Saint Andrews.

Second day—At or near the Head of Oak Bay in the Parish of Saint David's.

Third day—In the Parish of Saint Stephen's.

Fourth day—(Allowing one week day to intervene) At or near Digdegnash mills in the Parish of Saint Patrick.

Fifth and sixth days—At or near the lower Falls in the Parish of Saint George.

Seventh and eighth days—At the Court House in Saint Andrew's.

IN QUEEN'S COUNTY.

First day—At the Court House in Gagetown.

Second day—At or near White's Point on the Grand Lake.

Third day—At or near O'Leary's, mouth of Salmon River.

Fourth day—At or near White's Point, on the Washademoak.

Fifth day—At or near Robert Golding's Parish of Wickham.

Sixth day—At the half way House Nerepis Road.

Seventh and eighth days—At the County Court House in Gagetown.

IN AND FOR THE COUNTY OF GLOUCESTER.

First day—At the Court House in Bathurst.

Second and third days—(Allowing one week day to intervene) At or near the French Chapel at Carraquet.

Fourth and fifth days—(Allowing two week days to intervene) In the Town of Dalhousie.

Seventh and eighth days—(Allowing one week day to intervene) At the Court house in Bathurst.

IN AND FOR THE COUNTY OF NORTHUMBERLAND.

First day—At the Court House in Shire Town.

Second day—At Lower Negowack.

Third day—(Allowing one week day to intervene) At Bay du Vin at or near Williston Settlement.

Fourth day—At the Town of Chatham.

Fifth day—At or near Cuppage and White's in Northesk.

Sixth day—At or near Bartholomew's River in the Parish of Blackville.

Seventh day—At or near Robert Doak's

present residence in the upper part of the Parish of Blissfield.

Eighth day—(Allowing one week day to intervene) At the Court House in the Shire Town.

IN AND FOR THE COUNTY OF CARLETON.

First day—At the Court House in the Shire Town.

Second day—At or near Becaquimick in the Parish of Brighton.

Third day—At or near Munquat in the Parish of Kent.

Fourth day—At or near Everitt's in the Parish of Andover.

Fifth day—(Allowing one week day to intervene) At or near Thibideau near Green River in the Parish of Madawaska.

Sixth day—(Allowing two week days to intervene) At the Court House in the Shire Town.

Seventh and eighth days—At the same place.

IV. And be it enacted, That when any new County shall be erected in this Province, either wholly or in part from any of the said Counties, the Election for such new County shall be held at the Shire Town during the whole number of Polling days, until otherwise provided for by Law, and if any of the places hereinbefore established for taking the Poll, should happen to fall within the limits of such new County, the same shall cease to be placed for such Polling, and the Poll instead thereof shall be held in the Shire Town of the County for which such days and places were originally fixed. Provided always, that when any such Polling days revert to the Shire Town in manner aforesaid the same shall be held from day to day without any week day intervening.

V. Provided always and be it enacted, That if at any time in the course of holding such Poll, all opposition should be withdrawn by consent or resignation of Candidates, then the said Sheriff shall and may finally close such Poll, after giving one hour's public notice or proclamation thereof.

VI. And be it enacted, That this Act shall not come into force or effect until His Majesty's Royal approbation be thereunto had and declared.

CAP. LVI.

An Act for continuing the General Assembly in this Province, in case of the demise of the Crown.

Passed 1st March 1837.

WHEREAS some inconvenience might arise, if the General Assembly of this Province should be dissolved by the death or demise of the King, (whom may God long preserve,) or by the death or demise of any of His Majesty's Heirs and Successors; for remedy thereof,

Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the General Assembly, or any other General Assembly of this Province, which shall have been summoned and called by our present Sovereign Lord King William, or His Heirs and Successors, shall not determine or be dissolved by the death or demise of His said Majesty, His Heirs and Successors, but such General Assembly shall, and it is hereby enacted to continue and may meet, convene, and sit, proceed and act, for the period of six months, notwithstanding such death or demise, in the same manner, as if such death or demise had not happened: Provided always, and it is hereby enacted, that nothing in this Act contained shall extend or be construed to extend to alter or abridge the power of the King, His Heirs and Successors, to prorogue or dissolve the General Assembly of this Province: Provided that nothing in this Act contained, shall be of any force or effect, until His Majesty's pleasure therein shall be had and declared.

CAP. LVII.

An Act to erect part of the County of Gloucester into a separate and distinct County.

Passed 1st March 1837.

WHEREAS from the great extent of the present County of Gloucester, 'it is necessary and expedient that the same be divided into two Counties;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That all that part of the said County of Gloucester, which lies to the northward and westward, and is included within the line drawn due south, from the mouth of Belldune River until it strikes the line dividing the Parishes of Beresford and Bathurst in the said County, thence westerly by the line dividing the Counties of Northumberland and Gloucester until it strikes the line dividing the County of Carleton from the present County of Gloucester, thence by said line a northerly course until it strikes the line of the Province of Lower Canada, be, and the same is hereby erected into a County, separate and distinct from the said County of Gloucester, to be called and known by the name of the County of Restigouche, and that part of the present County of Gloucester, not included within the limits of the said new County above described, shall henceforth comprise the County of Gloucester.

II. And be it further enacted, That the like Courts of Justice shall be erected and established, and the like Justices and other Officers be constituted and appointed in the said new County, as are now erected and established, constituted and appointed, in the said County of Gloucester, and with the like powers and authorities.

III. And be it further enacted, That the Courts of General Session of the Peace and Inferior Courts of Common Pleas shall be holden in the Shire Town of the said new County twice in every year at the times following: (that is to say,) on the first Tuesday in January and second Tuesday in July, and continue until the business shall be finished, not exceeding five days; and that two additional Terms of the said Inferior Courts of Common Pleas for the said County shall be holden as follows: (that is to say,) on the second Tuesdays in April and second Tuesdays in October, and continue until the business be finished, not exceeding five days, at which additional Terms no Jury shall be summoned.

IV. And be it further enacted, That the Town of Dalhousie, in the said County of Restigouche, shall be for ever hereafter the Shire Town of the said County, and that a Court House and a

Gaol shall be erected in the said Shire Town, in like manner and by such and the like ways and means as such buildings have been or may be erected in other Counties in the Province, and in such place within the said Shire Town as the Lieutenant Governor or Commander in Chief for the time being shall direct, and that all the Public Offices in the said new County, shall be kept at the places to be directed and determined upon by the said Lieutenant Governor or Commander in Chief for the time being.

V. And be it further enacted, That in the said Shire Town shall be erected and established a Registry of Deeds, Conveyances, Wills, Mortgages, Memorials of Judgments or Recognizances for the said County, to be managed and executed by a Register, to be constituted in like manner, and under and subject in all respects to the like Laws, Rules and Regulations as any other Registry in any other County of the Province, and that all Deeds, Conveyances, Wills, Mortgages, Memorials of Judgments or Recognizances, which may affect any Lands, Tenements, or Hereditaments in the said County, shall be entered and registered at full length in the said Registry, provided the same Deeds or other documents have not been before registered in the said County of Gloucester.

VI. And be it further enacted, That the several Parishes of the said County of Gloucester, in whole or in part comprised within the said new County, shall continue by their respective names to be the Parishes of the said new County, until altered by the General Assembly, and that the Town or Parish Officers to be hereafter annually appointed for the said new County, shall in all respects possess the same powers as the like Officers in any other County: Provided always, that the powers and authorities of the present or any other Officers appointed or to be appointed by the Court of General Sessions of the Peace for the said County of Gloucester, shall continue until after the first General Session of the Peace shall be holden in and for the said new County.

VII. And be it further enacted, That all actions now depending, or which hereafter may be brought in the Inferior Court of Common Pleas for the said County of Gloucester, and all writs or processes which may or shall be issued and delivered to the Sheriff of the County of Gloucester before this Act shall go into operation, shall be there proceeded in and finally determined, although the parties may reside, or the causes of action may have arisen in the said new County, and that all rates and assessments which have been or hereafter may be made, on the Inhabitants of that part of the said County of Gloucester hereby erected into a separate County, before the commencement of the operation of this Act, shall be proceeded in and collected, and paid, and the accounts finally settled, as if this Act had not been made, any thing therein contained to the contrary notwithstanding: Provided always, that no assessment shall be made upon the Inhabitants of the said new County for the purpose of erecting a Court house, Gaol, or other public buildings within the said County of Gloucester.

VIII. And be it further enacted, That the said new County shall be entitled to send one Member to serve in the General Assembly of this Province, to be elected by the Freeholders, in like manner, and subject to the like Laws, Rules and Regulations under which other Members are elected in any other County, and that all such Freeholders whose Title Deeds may have been registered in the County of Gloucester before this Act shall go into operation, shall be entitled to vote without having their Deeds registered anew in the said new County.

IX. And be it further enacted, That the said new County shall not be deemed to be erected and established until the commissions shall be issued for erecting the said Courts of Justice and appointing the several Justices and other Officers for the said new County, and the same shall be notified by Proclamation of the Lieutenant Governor or Commander in Chief for the time being: Provided always, that this Act shall not be in force until His Majesty's royal approbation be thereunto had and declared.

Thursday the 28th instant, being the day appointed for the Coronation of Her Majesty Queen Victoria, a Levee will be held at Government House at 2 o'clock.

GERARD L. HARVEY, A. D. C.

June 18, 1838.

## CIVIL APPOINTMENTS.

Charles I. Peters, of Chatham, to expend the sum of £25, granted for the building a Slip or Wharf at the Ferry Landing in Newcastle, opposite the Town of Chatham.

Alexander Goodfellow to expend the sum of £60, granted for the Ferry Slips at the Ferry landings on each side of the north west branch of the Miramichi river, where the Great Road between Fredericton and Newcastle crosses the river.

The Rev. Dr. Alley, of Saint Andrews, to be a member of the Board of Education for the County of Charlotte.

## Commissioners of Bye Roads.

### NORTHUMBERLAND.

Roderick M'Leod to expend the sum of £180 for the Road from Bartibog to Tabisintac, from Oak Point downwards.

J. A. Street to expend the sum of £35 towards building a Slip at the Ferry Landing in the Parish of Chatham, opposite the Town of Newcastle.

Alexander Goodfellow to expend the sum of £90 towards opening and completing the Road from John Minzie's Farm to Ledden's Farm, at the head of the tide, on the north side of the north west; £17 15s. of this sum to be paid Alexander Goodfellow, to reimburse him for money paid by him to Nathaniel Spaulding for making a Road across a swamp at the west end of the Mill Stream Bridge; and the further sum of £7 15s. 8d. of the said amount to the said A. Goodfellow, being balance due him on last year's account.

### SAINT JOHN.

Richard Calvert, Senior, in the room of Robert F. Hazen, Esq. resigned, to be appointed Commissioner in conjunction with B.

L. Peters, Esq. to expend the sum of £100 from Blacklee's farm to Little River, and for the Bridge over the marsh. £5 3 6 to be paid R. F. Hazen and R. Calvert, a balance due them on a former exploration.

Richard Calvert to be a Commissioner, in conjunction with David Poor and William Hawks, to expend the sum of £45, from Little River to Black River.

## IN COUNCIL, JUNE 2, 1838.

ORDERED, That in future it be the duty of the Commissioner of Crown Lands, to restrict the applicants for Timber licences to such space of ground, as to him may under the circumstances of the case appear reasonable; to furnish the quantity of Timber applied for; also, That in future the Commissioner of Crown Lands be directed, in every case, to furnish the names of all persons employed by his duties, and receiving compensation for services.

Crown Land Office, June 8, 1838.

Applicants for the purchase of Crown Land, or Timber, may ascertain the decision of Council on their Petitions by application to either of the undermentioned Deputy Surveyors.

Joseph Hunter,	Dalhousie.
W. J. Berton,	Bathurst.
C. J. Peters,	Chatham.
W. J. Layton,	Richibucto.
Philip Palmer,	Sackville.
Jacob Allard,	St. Andrews.
William Mahood,	Magaguadavic.
John Collins,	Gagetown.
Nelson Arnold,	Sussex Vale.
Samuel Fairweather,	Bellisle.
Allan McLean,	York.
John Davidson,	Prince William.
H. M. G. Garden,	Woodstock.

HEAD QUARTERS, FREDERICTON, 19th June, 1838.

## MILITIA GENERAL ORDERS.

His Excellency the Lieutenant Governor and Commander in Chief has been pleased to make the following promotions, &c.

3d Battalion King's County.

Lieutenant Caleb Davis, to be Captain of the Rifle Company attached to the Battalion, vice Humbert, left the County.

John Stewart, Gent. to be 1st Lieutenant, vice Cromwell, removed from the County.

John Palmer, Gent. to be 2d Lieutenant.

3d Battalion Charlotte County.

Warren Ingersoll, Gent. to be Ensign.

2d Battalion King's County.

TO BE CAPTAINS.

Lieutenant Isaac Parlee, vice Samuel Gosling, who is promoted, to retire with his rank, dated 19th June.

Lieutenant Morris Fraser, vice Ryan, deceased 20th June.

TO BE LIEUTENANTS.

Ensign James Seacord, vice Fraser, promoted, 19th June.

Ensign J. O. Vail, vice Parlee, promoted, 20th June.

Ensign Thomas Harrison, vice G. Dunfield, deceased, 21st June.

TO BE ENSIGNS.

Samuel Ketchum, Gent. vice Harrison, 19th June.

Joseph Dobson, do. do. Vail, 20th June.