

by Messrs. Harrison and Jouett, over 1s. 8d. per ton, through F. W. Hatheway, who acts for them in this matter; against which balance so coming we find a Bond for £34 14 2, given by F. W. Hatheway, S. Barker, and W. A. Scovil, dated 27th November 1848, taken by the Crown officers for duties payable on 416 tons timber at one shilling and eight pence per ton, cut on the disputed territory, and seized in 1847 while in the charge of said F. W. Hatheway, which should be a first charge against moneys coming to him out of this fund; leaving, after deducting the amount of the said bond, £21 0 10, which last mentioned balance we consider should be held until a bond for £91 16 8, dated the 27th November 1848, signed by H. Garcelon, F. W. Hatheway, and M. Fisher, is satisfied, it being also given for fines on 1,102 tons of timber, at one shilling and eight pence per ton, also cut on the disputed territory, and seized while in charge of H. Garcelon, against which timber we can find no payment either in the Province of Canada or New Brunswick.

£55 15 0 balance per first statement.

34 14 2 bond of 27th November 1848, Hatheway, Barker, and Scovil.

£21 0 10

91 16 8 bond of 27th November 1848, Garcelon, Hatheway, and Fisher.

£70 15 10 balance that would be still due on last mentioned bond.

JAMES A. HARDING.
WM. M'D. DAWSON.

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The undersigned Commissioners, in adjudicating upon the claims preferred against the disputed territory fund, on the basis of the Report of 19th April 1856, find so far as has appeared before them, the following to be the position of that part of the Charles Connell licence, which was obtained for the benefit of William Connell: That Stephen Tracy operated under the same with authority from William Connell, and brought to the Saint John market in 1844, 588 tons of timber which was seized, and a fine of three shillings per ton paid thereon, amounting to £88 4s.; that they find no other timber cut under the said licence on which a higher rate of duty was paid than one shilling and eight pence per ton; that in the year 1847, Messrs. W. & J. Connell brought to market 30,073 tons timber cut on the disputed territory, for the duties on which, at one shilling and eight pence per ton, a Bond dated 27th November 1848, signed by M. Fisher, M. Tuck and H. Garcelon was given; that this last named timber, together with 994 tons of the John Emmerson timber cut under the Glazier licence, (being at the time of seizure in the hands of M. Fisher, since dead, as timber keeper) was seized together, and the said Bond given for the two lots of timber, amounting to £339, against which £82 17 6 is credited in the Glaziers' statement, leaving a balance on the said Bond of £256 7 6, as standing against timber cut on this licence, which leaves the matter as follows:—