

*Wm. Chipman*

# THE NEW-BRUNSWICK ROYAL GAZETTE.

[Volume V.]

TUESDAY, 28th SEPTEMBER, 1819.

[Number 31.]

**The Gazette.**

By His Excellency Major-General  
GEORGE TRACEY SMYTH,  
(L.S.) Lieutenant-Governor and Com-  
mander-in-Chief of the Province of  
New-Brunswick, &c. &c. &c.  
G. S. SMYTH.

**A Proclamation.**

**W**HEREAS it is deemed expedient  
that a General Assembly of this  
Province should be called and summoned to  
meet at Fredericton on the third Tuesday  
in November next: I do, therefore, by and  
with the advice and consent of His Majesty's  
Council, publish this Proclamation, hereby  
calling and summoning the said General  
Assembly to meet at the time and place  
abovementioned; whereof all persons whom  
it may concern will take due notice and  
govern themselves accordingly.

Given under my Hand and Seal, the  
ninth day of September, in the year  
of our Lord one thousand eight  
hundred and nineteen, and in the  
fifty-ninth year of His Majesty's  
Reign.

By His Excellency's command,  
H. H. CARMICHAEL,  
Depy-Secretary.

**BY AUTHORITY.**

SECRETARY'S OFFICE,  
26th April, 1819.

**W**HEREAS divers Persons have at different  
Periods, had allotments of Land, and have  
neglected to take out their GRANTS for the same,  
as required by the ROYAL INSTRUCTIONS, not-  
withstanding repeated cautions given on this sub-  
ject: Such Persons are again hereby notified that  
the LANDS which may have been so allotted to them,  
and are open to any new application, although they  
may have been cultivated or transferred to other  
Persons.

SECRETARY'S OFFICE,  
24th May, 1819.

**CAUTION.**

**ALL** Persons are cautioned against pur-  
chasing Allotments made to the MILITARY  
in this Province since the late War; as no  
Title can be given to such Lands until the  
original Military Settlers shall have resided  
on them for three years, and made a suitable  
cultivation.

By the Honorable JOHN SAUNDERS,  
one of the Justices of His Majesty's  
Supreme Court of Judicature for the  
Province of New-Brunswick.

**N**OTICE is hereby given, that upon  
the application of David Tozer, of  
the Parish of Northesk, in the County of  
Northumberland, Yeoman, to me duly made,  
pursuant to the directions of the Act of As-  
sembly in such case made and provided,  
I have directed all the Estate, as well real as  
personal of Benjamin Chaplin, late of the  
Parish of Northesk, in the County of North-  
umberland, aforesaid, Yeoman, (which said  
Benjamin Chaplin is departed from and with-  
out the limits of this Province, or conceal-  
ed within the same, with intent and design  
to defraud the said David Tozer and the o-  
ther Creditors of the said Benjamin Chaplin,  
if any there be, of their just dues, or else to  
avoid being arrested by the ordinary process  
of law as is alleged against him) to be seized  
and attached; and that unless the said Ben-  
jamin Chaplin do return and discharge his  
said debt or debts, within three months from  
the publication hereof, all the Estate as well  
real as personal of the said Benjamin Chaplin,  
within this Province will be sold for the pay-  
ment and satisfaction of the Creditors of the  
said Benjamin Chaplin.

Dated at Northumberland aforesaid,  
the thirtieth day of August, in the  
year of our Lord one thousand  
eight hundred and nineteen.  
JOHN SAUNDERS.  
GEO. L. WETMORE, Att'y.

**A**T a Special Session of the Peace holden  
at the County Court-House in Frederic-  
ton, in and for the County of York, on  
Thursday the 20th May, 1819, for the  
purpose of Regulating the Assize of  
Bread in the Town of Fredericton,

Ordered, that from Thursday the 27th inst.  
the ASSIZE of BREAD be as follows:

**T**HE Sixpenny Wheaten lb. oz.  
Loaf to weigh - - - 2 : 0  
Ditto Rye do. 3 : 0  
And other Loaves in proportion.

By order of the Court,  
G. CLOPPER,  
Clerk of the Peace

Commissariat-Office, Fredericton, N. B.  
23d December, 1817.

**CASH.**

**A**NY Person wishing to remit MO-  
NEY to Saint John, may obtain  
Drafts from this Office, on the Assistant  
Commissary General, payable at sight.

By the Hon. WARD CHIPMAN, Esquire,  
one of the Justices of His Majesty's  
Supreme Court of Judicature for the  
Province of New-Brunswick.

To all whom it may concern, GREETING:

**N**OTICE is hereby given, that upon  
the application of SAMUEL SCOV-  
ILL, Esquire, 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 Benjamin Emmons, late of  
the City and County of Saint John, Car-  
penter, (which same Benjamin Emmons is  
departed from and without the limits of this  
Province, with intent and design to defraud  
the said SAMUEL SCOVILL and the other  
Creditors of the said Benjamin Emmons,  
(if any there be) of their just dues, or else to  
avoid being arrested by the ordinary process  
of the Law, as it is alleged against him)  
to be seized and attached; and that unless  
the said Benjamin Emmons do return and  
discharge his said debt or debts within three  
months from the publication hereof, all the  
Estate, as well real as personal, of the said  
Benjamin Emmons within this Province, will  
be sold for the payment and satisfaction of the  
Creditors of the said Benjamin Emmons.

Dated at the City of St. John, the 10th  
day of September, one thousand  
eight hundred and nineteen.  
WARD CHIPMAN, J. S. C.

WM. ROYD KINNEAR, Att'y.

**N**OTICE is hereby given, that We, the  
Subscribers, have been duly appoint-  
ed Trustees for all the Creditors of Robert  
C. Commelin, late of Miramichi, in the  
County of Northumberland, Merchant, an  
absconding Debtor, and have been duly  
sworn to the faithful Execution of the said  
trust, pursuant to the directions of the Act  
of Assembly in that case made and provided;  
and we do hereby require all persons in-  
debted to the said Robert C. Commelin, on  
or before the first day of November next  
ensuing the date hereof, to pay to us, or some,  
or one of us, all such sum or sums of money,  
or other debt, duty or thing, which they owe  
to the said Robert C. Commelin, and to deli-  
ver all other effects of the said Robert C.  
Commelin, which they, or any, or either of  
them may have in his, her, or their hands,  
power or custody, to us, or some, or one of  
us as aforesaid; and we do also desire all the  
Creditors of the said Robert C. Commelin,  
on or before the same first day of November  
next, to deliver to us, or to some, or one of  
us as aforesaid, their respective accounts and  
demands against the said Robert C. Commelin,  
in order that right and justice may be done,  
agreeably to the form of the said Act of As-  
sembly in such case made and provided.

Given under our hands at Miramichi,  
in the County of Northumberland,  
this tenth day of May, 1819.  
(Signed) LEWIS HENRY. } Trustees.  
(Signed) ROBERT YOUNG. }  
(Signed) WILLIAM BURNIE. }

**BY AUTHORITY.**

The following Act of Parliament having  
been transmitted by the Right Honorable  
Earl Bathurst one of His Majesty's  
Principal Secretaries of State, to His  
Excellency the Lieutenant-Governor of  
this Province, the same is published for  
the information of all whom it may con-  
cern.

By Command of His Excellency,  
H. H. CARMICHAEL,  
Dep. Sec'y.

**AN ACT** to prevent the Enlisting or En-  
gagement of His Majesty's Subjects to  
serve in Foreign Service, and the fitting  
out or equipping, in His Majesty's Do-  
minions, Vessels for Warlike Purposes,  
without His Majesty's Licence.

[3d July 1819.]

**W**HEREAS the Enlistment or  
Engagement of His Majesty's  
Subjects to serve in War in Foreign Ser-  
vice, without His Majesty's Licence, and  
the fitting out and equipping, and arming of  
Vessels by His Majesty's Subjects, with-  
out His Majesty's Licence, for Warlike  
Operations in or against the Dominion-  
or Territories of any Foreign Prince,  
State, Potentate, or Persons exercising or  
assuming to exercise the Powers of Go-  
vernment in or over any Foreign Country,  
Colony, Province, or Part of any Province,  
or against the Ships, Goods, or Merchandize  
of any Foreign Prince, State, Potentate, or  
Persons as aforesaid, or their Subjects, may  
be prejudicial to and tend to endanger the  
Peace and Welfare of this Kingdom: And  
whereas the Laws in force are not sufficient-  
ly effectual for preventing the same; be it  
therefore enacted by the King's most Excel-  
lent Majesty, by and with the Advice and  
Consent of the Lords Spiritual and Tempo-  
ral, and Commons, in this present Parliament  
assembled, and by the Authority of the same,  
That from and after the passing of this Act,  
an Act passed in the Ninth Year of the  
Reign of His late Majesty King George the  
Second, intituled *An Act to prevent the  
listing His Majesty's Subjects to serve as  
Soldiers without His Majesty's Licence*;  
and also an Act passed in the Twenty-ninth  
Year of the Reign of His said late Maje-  
sty King George the Second, intituled *An  
Act to prevent His Majesty's Subjects from  
serving as Officers under the French King*;  
and for better enforcing an Act passed in  
the Ninth Year of His present Majesty's  
Reign, to prevent the enlisting His Maje-  
sty's Subjects to serve as Soldiers without  
His Majesty's Licence; and for obliging  
such of His Majesty's Subjects as shall ac-  
cept Commissions in the Scotch Brigade in  
the Service of the States General of the  
United Provinces, to take the Oaths of Al-  
legiance and Abjuration; and also an Act  
passed in Ireland in the Eleventh Year of  
the Reign of His said late Majesty King  
George the Second, intituled *An Act for the  
more effectual preventing the enlisting of  
His Majesty's Subjects to serve as Soldiers  
in Foreign Service without His Majesty's  
Licence*; and also an Act passed in Ireland  
in the Nineteenth Year of the Reign of His  
said late Majesty King George the Second,  
intituled *An Act for the more effectual pre-  
venting His Majesty's Subjects from enter-  
ing into Foreign Service, and for publishing  
an Act of the Seventh Year of King William  
the Third, intituled 'An Act to prevent  
Foreign Education'*; and all and every  
the Clauses and Provisions in the said se-  
veral Acts contained, shall be and the same  
are hereby repealed.

**II.** And be it further declared and en-  
acted, That if any natural-born Subject of  
His Majesty, His Heirs and Successors,  
without the Leave or Licence of His Ma-  
jesty, His Heirs or Successors, for that  
Purpose first had and obtained, under the  
Sign Manual of His Majesty, His Heirs or

Successors, or signified by Order in Coun-  
cil, or by Proclamation of His Majesty, His  
Heirs or Successors, shall take or accept, or  
shall agree to take or accept, any Military  
Commission, or shall otherwise enter into  
the Military Service as a Commissioned,  
or Non-commissioned Officer, or shall  
enlist or enter himself to enlist, or shall  
agree to enlist or to enter himself to serve  
as a Soldier, or to be employed or shall serve  
in any Warlike or Military Operation, in  
the Service of or for or under or in Aid of  
any Foreign Prince, State, Potentate, Colo-  
ny, Province, or Part of any Province or  
People, or of any Person or Persons exerci-  
sing or assuming to exercise the Powers of  
Government in or over any Foreign Coun-  
try, Colony, Province, or Part of any Pro-  
vince or People, either as an Officer or Sol-  
dier, or in any other Military Capacity; or  
if any natural-born Subject of His Maje-  
sty shall, without such Leave or Licence as  
aforesaid, accept, or agree to take or accept,  
any Commission, Warrent or Appointment  
as an Officer, or shall enlist or enter himself,  
to serve as a Sailor or Marine, or to be em-  
ployed, or engaged, or shall serve in and on  
board any Ship or Vessel of War, or in and  
on board any Ship or Vessel used or fitted  
out, or equipped or intended to be used for  
any Warlike Purpose, in the Service of or  
for or under or in Aid of any Foreign  
Power, Prince, State, Potentate, Colony,  
Province, or Part of any Province or Peo-  
ple, or of any Person or Persons exercising  
or assuming to exercise the Powers of Go-  
vernment in or over any Foreign Country,  
Colony, Province, or Part of any Province  
or People; or if any natural-born Subject  
of His Majesty shall, without such Leave  
and Licence as aforesaid, engage, contract,  
or agree to go, or shall go to any Foreign  
State, Country, Colony, Province, or Part  
of any Province, or to any Place beyond the  
Seas, with an Intent or in order to enlist or  
enter himself to serve, or with Intent to serve  
in any Warlike or Military Operation  
whatever, whether by Land or by Sea in,  
the Service of or for or under or in Aid of  
any Foreign Prince, State, Potentate, Colo-  
ny, Province, or Part of any Province or  
People, or in the Service of or for or under  
or in Aid of any Person or Persons exerci-  
sing or assuming to exercise the Powers of  
Government in or over any Foreign Coun-  
try, Colony, Province, or Part of any Pro-  
vince or People, either as an Officer or a  
Soldier, or in any other Military Capacity,  
or as an Officer or Sailor, or Marine, in  
any such Ship or Vessel as aforesaid, although  
no enlisting Money or Pay or Reward shall  
have been or shall be in any or either of the  
Cases aforesaid actually paid to or received  
by him, or by any Person to or for his Use  
or Benefit; or if any Person whatever,  
within the United Kingdom of Great-Bri-  
tain and Ireland, or in any Part of His  
Majesty's Dominions elsewhere, or in any  
Country, Colony, Settlement, Island, or  
Place belonging to or subject to His Maje-  
sty, shall hire, retain, engage, or procure, or  
shall attempt or endeavour to hire, retain,  
engage, or procure, any Person or Persons  
whatever to enlist, or to enter or engage to  
enlist, or to serve or to be employed in any  
such Service or Employment as aforesaid, as  
an Officer, Soldier, Sailor, or Marine, either  
in Land or Sea Service, for or under or in  
Aid of any Foreign Prince, State, Potentate,  
Colony, Province, or Part of any Province  
or People, or for or under or in Aid of any  
Person or Persons exercising or assuming  
to exercise any Powers of Government as  
aforesaid, or to go or to agree to go or em-  
bark from any Part of His Majesty's Do-  
minions, for the Purpose or with Intent to be  
so enlisted, entered, engaged, or employed  
as aforesaid, whether any enlisting Money,  
Pay, or Reward shall have been or shall be  
actually given or received, or not; in any  
or either of such Cases, every Person so of-  
fending shall be deemed guilty of a Mide-