

THE NEW-BRUNSWICK ROYAL GAZETTE.



[Volume V.]

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[Number 39.]

The Gazette.

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

A Proclamation.

WHEREAS a General Assembly of this Province has been summoned to meet at Fredericton on the third Tuesday of this inst. November: I have thought fit by and with the advice of His Majesty's Council, to prorogue the said General Assembly: and the same is hereby prorogued to the third Tuesday in January next ensuing, then to meet at Fredericton for the dispatch of Business.

Given under my Hand and Seal, at Fredericton, the sixth day of November, in the year of our Lord one thousand eight hundred and nineteen, and in the sixtieth year of His Majesty's Reign.

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

BY AUTHORITY.

SECRETARY'S OFFICE,
26th April, 1819.

WHEREAS 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, notwithstanding repeated cautions given on this subject: Such Persons are again hereby notified that the LANDS which may have been so allotted to them, are, by the ROYAL INSTRUCTIONS, forfeited, 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 purchasing 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.

NOTICE is hereby given, that upon the application of **David Tazer**, of the Parish of Northesk, in the County of Northumberland, Yeoman, to me duly made, pursuant to the directions of the Act of Assembly 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 Northumberland, aforesaid, Yeoman, (which said **Benjamin Chaplin** is departed from and without the limits of this Province, or concealed within the same, with intent and design to defraud the said **David Tazer** and the other 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 **Benjamin 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 payment 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,

Esq. L. WETMORE Atty.

At a Special Session of the Peace holden at the County Court-House in Fredericton, 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:

THE Sixpenny Wheat *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.

ANY Person wishing to remit MONEY 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:

NOTICE is hereby given, that upon the application of **SAMUEL SCOVIL**, 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, Carpenter, (which said **Benjamin Emmons** is departed from and without the limits of this Province, with intent and design to defraud the said **SAMUEL SCOVIL** 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. BOYD KINNEAR, Atty.

By **ALEXANDER DAVIDSON**, Esq. one of the Justices of His Majesty's Inferior Court of Common Pleas for the County of Northumberland, in the Province of New-Brunswick.

NOTICE is hereby given, that on the application of **JAMES LEDDEN** and **JAMES ABBOTT**, of the Parish of Newcastle, in the County of Northumberland, Merchants, to me duly made, pursuant to the directions of the Act of the General Assembly in such case made and provided, stating that **James Stewart**, late of the Parish of Ludlow, is justly indebted to them in the sum of two hundred and thirty-eight pounds, fifteen shillings and eight-pence, and hath departed from this Province after the said debt was contracted, or keeps himself concealed to avoid being served with the ordinary process of law, with an intention of defrauding his Creditors, which departure or concealment has been proved to my satisfaction, I have directed all the estate real and personal, of the said **James Stewart**, within the said County, to be seized and attached; and that unless he the said **James Stewart** shall return and discharge his debt or debts, within three months after publication hereof, all his estate, real and personal, will be sold for the payment and satisfaction of his Creditors.

Dated at Nelson, in the said County of Northumberland, the fifth day of July, in the year of our Lord one thousand eight hundred and nineteen.

ALEX. DAVIDSON, J. C. P.

THOMAS H. PETERS, Atty.

The following Act of Parliament is published by order of His Excellency the LIEUTENANT-GOVERNOR.

ANNO QUINQUAGESIMO NONO
GEORGH III. REGIS.

An Act to permit the Archbishops of *Canterbury* and *York*, and the Bishop of *London*, for the Time being, to admit Persons into Holy Orders specially for the Colonies. [2d July 1819.]

WHEREAS it is expedient that the Archbishops and Bishops of this Realm should from Time to Time admit into Holy Orders Persons specially destined for the Cure of Souls in His Majesty's Foreign Possessions, although such Persons may not be provided with the Title required by the Canon of the Church of *England*, of such as are to be made Ministers: And whereas it will greatly tend to the Advancement of Religion within the same, that due Provision shall be regularly made for a Supply of Persons properly qualified to serve as Parsons, Vicars, Curates, Chaplains; be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act it shall be lawful for the Archbishop of *Canterbury*, the Archbishop of *York*, or the Bishop of *London*, for the Time being, or any Bishop specially authorized and empowered by any or either of them, to admit into the Holy Orders of Deacon or Priest any Person whom he shall upon Examination deem duly qualified specially for the Purpose of taking upon himself the Cure of Souls, or officiating in any Spiritual Capacity in His Majesty's Colonies or Foreign Possessions and residing therein, and that a Declaration of such Purpose and a written Engagement to perform the same under the Hand of such Person, being deposited in the Hands of such Archbishop or Bishop, shall be held to be a sufficient Title with a View to such Ordination; and that in every such Case it shall be distinctly stated in the Letters of Ordination of every Person so admitted to Holy Orders, that he has been ordained for the Cure of Souls in His Majesty's Foreign Possessions.

II. Provided always, and be it further enacted by the Authority aforesaid, That no Person so admitted into the Holy Orders of Deacon or Priest, for the Purpose of taking upon himself the Cure of Souls, or officiating in any Spiritual Capacity in His Majesty's Foreign Possessions, shall be capable of having holding, or enjoying, or of being admitted to any Parsonage, Vicarage, Benefice, or other Ecclesiastical Promotion or Dignity whatsoever, within the United Kingdom of *Great Britain* and *Ireland*, or of acting as Curate therein, without the previous Consent and Approbation in Writing of the Bishop of the Diocese under his Hand and Seal in which any such Parsonage, Vicarage, Benefice, or other Ecclesiastical Promotion or Dignity shall be locally situated, nor without the like Consent and Approbation of such one of the said Archbishops, or Bishop of *London*, by whom, or by whose Authority such Person shall have been originally ordained, or in case of the Demise or Translation of such Archbishop or Bishop, of his Successor in the same See: Provided always, that no such Consent and Approbation shall be given by any such Archbishop, or Bishop of *London*, unless the Party applying for the same shall first produce a Testimony of his good Behaviour during the Time of his Residence Abroad, from the Bishop in whose Diocese he may have officiated, or in case there be no Bishop, from the Governor in Council of the Colony in which he may have been resident, or from His Majesty's Principal Secretary of State for the Colonial Department.

III. And be it further enacted, That from and after the passing of this Act no Person who shall have been admitted into Holy Orders by the Bishops of *Quebec*, *Newa Scotia*, or *Calcutta*, or by any other Bishop or Archbishop than those of *England* or *Ireland*, shall be capable of officiating in any Church or Chapel of *England* or *Ireland* without special Permission from the Archbishop of the Province in which he proposes to officiate, or of having, holding, or enjoying, or of being admitted to any Parsonage or other Ecclesiastical Preferment in *England* or *Ireland*, or of acting as Curate therein, without the Consent and Approbation of the Archbishop of the Province, and also of the Bishop of the Diocese in which any such Parsonage or Ecclesiastical Preferment or Curacy may be situated.

IV. Provided always, That no Person who after the passing of this Act shall have been ordained a Deacon or Priest by a Colonial Bishop, who at the Time of such Ordination did not actually possess an Episcopal Jurisdiction over some Diocese, District, or Place, or was not actually residing within such Division, District, or Place, shall be capable in any Way, or on any Pretence whatever, of at any Time holding any Parsonage or other Ecclesiastical Preferment within His Majesty's Dominions, or of being a Stipendiary Curate or Chaplain, or of officiating at any Place, or in any Manner, as a Minister of the Established Church of *England* and *Ireland*.

V. And be it further enacted, That all Admissions, Institutions, and Inductions to Benefices in the Church of *England*, or Church of *Ireland*, and all Appointments to act as Curates therein, which shall be made contrary to the Provisions of this Act, shall be to all Intents and Purposes null and void: Provided always, that nothing herein shall be construed to make void any Admission, Institution, or Induction to any Benefice, or any Appointment as Curate, which shall have been made previous to the passing of this Act.

VI. Provided always, That nothing in this Act contained shall be construed to affect or to repeal any of the Provisions of an Act passed in the Twenty-sixth Year of the Reign of His present Majesty, intitled *An Act to empower the Archbishop of Canterbury, or the Archbishop of York for the Time being, to consecrate to the Office of a Bishop, Persons being Subjects or Citizens of Countries out of His Majesty's Dominions.*

NEW-YORK, Oct. 26.

CAPTURE OF SANTA FEE.—Official. [Translated for the Freeman's Journal.] Capture of Santa Fee, Capital of New-Grenada, by the army of General Bolivar.

His Britannic Majesty's brig *Beaver*, of 10 guns, Capt. Saumarez, for *Carthage*, arrived at *Kingston*, (*Jamaica*) on the 14th September last; by her, official information was received that on the 1st of July a battle took place between *Bolivar* and the troops of *Spain*, at a place called *Yanza*, in the valley of *Sogamose*, in the province of *Junfa*. *Bolivar* had 2000 infantry and 500 cavalry in opposition to the forces of the Spanish General *Barasine*, of 3000 Royalists. The battle lasted till 10 o'clock at night, when the King's troops were obliged to retreat in great disorder.

A second battle was fought on the 25th of the same month (July) between the same parties, at *Pontano de Bargas*, near the capital of the province of *Junfa*, which lasted five hours, with desperation on both sides. *Bolivar* obtained a complete victory over the Royalists, who abandoned all their artillery, baggage and treasures *Bolivar* has proclaimed martial law, and the inhabitants are locking to his standard.