

# THE NEW-BRUNSWICK ROYAL GAZETTE.

[Volume V.]

TUESDAY, 5th OCTOBER, 1819.

[Number 32.]

## 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.

**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 above-mentioned; 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,**  
Dep.-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, notwithstanding repeated cautions given on this subject: Such Persons are again hereby notified that the LANDS which may have been so allotted to them, 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.

**A**LL 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.

**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 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 Tozer* 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 the Law, as it 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,**  
Geo. L. WETMORE, Att'y.

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:

**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.  
29d December, 1817.

### CASH.

**A**NY 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:

**N**OTICE 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 same *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, Att'y.

**N**OTICE is hereby given, that We, the Subscribers, have been duly appointed 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 indebted 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 deliver 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 Assembly 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.**  
(Signed) **ROBERT YOUNG.**  
(Signed) **WILLIAM BURNIE.** } Trustees.

### 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 concern.

By Command of His Excellency.

**H. H. CARMICHAEL**

Dep. Sec'y.

*AN ACT to prevent the Enlisting or Engagement of His Majesty's Subjects to serve in Foreign Service, and the fitting out or equipping, in His Majesty's Dominions, 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 Service, without His Majesty's Licence, and the fitting out and equipping and arming of Vessels by His Majesty's Subjects, without His Majesty's Licence, for Warlike Operations in or against the Dominions or Territories of any Foreign Prince, State, Potentate, or Persons exercising of assuming to exercise the Powers of Government in or over any Foreign Country, Colony, Province, or Part of any Province, or against the Ships, Goods, or Merchandise 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 sufficiently effectual for preventing the same; 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, 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 Majesty 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 Majesty's Subjects to serve as Soldiers without His Majesty's Licence; and for obliging such of His Majesty's Subjects as shall accept Commissions in the Scotch Brigade in the Service of the States General of the United Provinces, to take the Oaths of Allegiance 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 preventing His Majesty's Subjects from entering 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 several Acts contained, shall be and the same are hereby repealed.

II. And be it further declared and enacted, That if any natural-born Subject of His Majesty, His Heirs and Successors, without the Leave or Licence of His Majesty, 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 Council, 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, Colony, Province, or Part of any Province or People, or of any Person or Persons exercising or assuming to exercise the Powers of Government in or over any Foreign Country, Colony, Province, or Part of any Province or People, either as an Officer or Soldier, or in any other Military Capacity; or if any natural-born Subject of His Majesty shall, without such Leave or Licence as aforesaid, accept, or agree to take or accept, any Commission, Warrant or Appointment as an Officer, or shall enlist or enter himself, to serve as a Sailor or Marine, or to be employed, 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 People, or of any Person or Persons exercising or assuming to exercise the Powers of Government 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, Colony, 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 exercising or assuming to exercise the Powers of Government in or over any Foreign Country, Colony, Province, or Part of any Province 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-Britain 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 Majesty, 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 embark from any Part of His Majesty's Dominions, 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 offending shall be deemed guilty of a Misdemeanour.