

THE NEW-BRUNSWICK ROYAL GAZETTE.

[Volume VI.]

TUESDAY, 12th DECEMBER, 1820.

[Number 41.]

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 the General Assembly
of this Province stands prorogued
to the second Tuesday in December next: I
have thought fit further to prorogue the said
General Assembly; and the same is hereby
prorogued to Tuesday the thirtieth day
of January next, then to meet at Frederic-
ton for the dispatch of business.

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

By His Excellency's Command,
WM. F. ODELL.

By ALEXANDER DAVIDSON,
Esquire, one of the Justices of His
Majesty's Inferior Court of Com-
mon Pleas for the County of North-
umberland, in the Province of New-
Brunswick.

NOTICE is hereby given, that on the
application of *John Forbes*, of the
firm of *Samuel Drinkwater and John
Forbes*, Copartners in Trade of the Parish
of Chatham, in the County and Province
aforesaid, Merchants, to me duly made, pur-
suant to the directions of the Act of the
General Assembly of this Province in such
case made and provided; I have directed
all the Estate as well real as personal, of
David Tozer, late of Northesk in the Coun-
ty aforesaid, Lumberer, (which said *David
Tozer* has departed from, and is without the
limits of this Province, or concealed within
the same, with intent and design to defraud
the said *John Forbes* and his said Copartner
in Trade, and the other Creditors of the
said *David Tozer*, if any there be, of their
just dues, or else to avoid being arrested by
the ordinary process of law, as has been
made to appear to my satisfaction) to be seized
and attached; and that unless the said
David Tozer do return and discharge his
debt or debts within three months from the
publication hereof, all the Estate as well real
as personal of the said *David Tozer*, within
this Province, will be sold for the payment
and satisfaction of the Creditors of the said
David Tozer.

Dated at Nelson, in the said County
of Northumberland, the fifth-enth
day of August, in the year of our
Lord one thousand eight hundred
and twenty.

ALEX. DAVIDSON, J. C. P.
JOHN AMB. STREET, Atty.

By HUGH MUNRO, Esquire, 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 *John Cole*, of Saint
Peters, in the Parish of Saumarez and Pro-
vince aforesaid, Carpenter and Joiner, to
me duly made, pursuant to the directions of
the Act of the General Assembly of this
Province in such case made and provided;
I have directed all the Estate as well real as
personal, of *Alexander Gordon*, *James Bab-
cock*, and *John Lawrence*, Lumberers, also
late of St. Peters, in the County aforesaid,
(which said *Alexander Gordon*, *James Bab-
cock*, and *John Lawrence*, have departed

from and are without the limits of this Pro-
vince, or concealed within the same, with in-
tent and design to defraud the said *John
Cole* and other Creditors of the said *Alex-
ander Gordon*, *James Babcock*, and *John
Lawrence*; if any there be, of their just dues,
or else to avoid being arrested by the ordi-
nary process of Law; as has been made to ap-
pear to my satisfaction) to be seized and at-
tached; and that unless the said *Alexander
Gordon*, *James Babcock*, and *John Law-
rence*, do return and discharge their debt or
debts within three months from the publica-
tion hereof, all the Estate as well real as
personal, of the said *Alexander Gordon*,
James Babcock, and *John Lawrence*,
within this Province, will be sold for the
payment and satisfaction of the Creditors of
the said *Alexander Gordon*, *James Babcock*,
and *John Lawrence*.

Dated at St. Peters, in the County of
Northumberland, the twenty-first
day of September, in the Year of
our Lord one thousand eight hun-
dred and twenty.

H. MUNRO, J. C. P.
JOHN AMB. STREET, Atty.

By JOHN KEILLOR, Esquire, one
of the Justices of His Majesty's
Inferior Court of Common Pleas
for the County of Westmorland:

For all whom it may concern: Greeting:
NOTICE is hereby given, that upon
the application of *Amasa Whellon*,
of Dorchester, in the County of Westmor-
land, and Province of New-Brunswick,
Merchant, to me duly made, according to
the form of the Act of the General Assembly
in such case made and provided; I have
directed all the Estate as well real as personal,
within the said County of Westmorland, of
John J. Freys, late of Dorchester, in said
County, Innkeeper, (which said *John J. Freys*
has either departed from and without the
limits of this Province, or is concealed
within the same) to be seized and attached;
and that unless the said *John J. Freys* 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 *John J. Freys*, within this
County, will be sold for the payment and
satisfaction of the Creditors of the said *John
J. Freys*.

Dated at Dorchester, the twenty-se-
venth day of October, in the
year of our Lord one thousand
eight hundred and twenty.

JOHN KEILLOR, J. C. P.

By the Honorable John Saunders, one
of the Justices of His Majesty's Su-
preme Court of Judicature for the
Province of New-Brunswick.

NOTICE is hereby given, that upon
the application of *William Sewell* of
Fredericton, in the County of York, mer-
chant; *William Wilmot* of same place,
merchant, and *William Wilmot* and *Samuel
Peters* of same place, merchants and Co-
partners in trade, to me duly made pursuant
to the directions of the General Assembly in
such case made and provided: I have di-
rected all the Estate, as well real as personal
of *Morris Cooper*, otherwise called *Morris
L. Cooper*, late of the Parish of Saint Ma-
ry's in the County aforesaid, yeoman, (which
said *Morris* has either departed from and
without the limits of the said province, or is
concealed within the same, with intent and
design to defraud the said *William Sewell*,
William Wilmot, and *William Wilmot*
and *Samuel Peters*, and the other creditors
of the said *Morris*, if any there be, of their
just dues, or else to avoid being arrested by
the ordinary process of law as is alleged a-
gainst him) to be seized and attached, and
that unless the said *Morris* do return and
discharge his said debts within three months
from the publication hereof, all the Estate as
well real as personal of the said *Morris*,

within this Province will be sold for the
payment and satisfaction of the creditors of
the said *Morris*.

Dated at Fredericton aforesaid the
eighth day of May, in the year of
our Lord, 1820.

JOHN SAUNDERS.

By RUFUS SMITH, Esquire, one of
the Justices of His Majesty's In-
ferior Court of Common Pleas for
the County of Westmorland, in the
Province of New-Brunswick.

NOTICE is hereby given, that on the
application of *Thomas Roach*, of
the County of Cumberland, and Province
of Nova-Scotia, Esquire, to me duly made
pursuant to the directions of the Act of the
General Assembly of this Province in such
case made and provided; I have directed
all the Estate as well real as personal, of
John Ryan, late of Westmorland in the
County of Westmorland and Province of
New Brunswick, Blacksmith, (which
John Ryan, has departed from, and is with-
out the limits of this Province, or concealed
within the same, with intent and design to
defraud the said *Thomas Roach*, and the
other Creditors of the said *John Ryan*, if
any there be, of their just dues, or else to
avoid being arrested by the ordinary process
of law, as has been made appear to my satis-
faction) to be seized and attached; and that
unless the said *John Ryan* do return and
discharge his debt or debts within three
months from the publication hereof, all the
Estate real and personal of the said *John
Ryan*, within this Province, will be sold for
the payment and satisfaction of the Creditors
of the said *John Ryan*.

Dated at Westmorland, the first of
November, in the year of our
Lord 1820.

RUFUS SMITH, J. C. P.

*Stevens' abridgment of the Nature and
Constitution of the Christian Church.*

(Concluded.)

Eighthly, From the power of making
laws we proceed to that of jurisdiction, or
executing the laws; that is, the power of
judging and censuring offenders. That
our blessed Lord has entrusted the Church,
and particularly the governors of it, with
authority to censure offenders, and to ex-
clude them from its communion will appear,
if we consider the Church, 1st, as a society;
for this authority is exercised by all societies
whatsoever. And as in civil societies, this
authority is necessary for securing mens'
lives and properties, which is the chief end
for which it pleased God to institute these
societies; so in the Church or spiritual
society, the same authority is equally neces-
sary to attain the ends for which the Church
was founded; namely, to maintain the pu-
rity of divine worship, to secure men from
the pollutions of the world, and train them
up in virtue and piety now, in order to
make them happy for ever; all which can-
not be effected, if the Church has not power
to exclude from its communion such unwor-
thy members as endeavour to oppose these
ends by promoting vice, superstition, and
infidelity.

Secondly, As a society, the privileges
whereof are conditional; for none must be
admitted into the Church by baptism, who
do not, by themselves or their sureties, pro-
fess the faith, and vow obedience to the laws
of Christ; and if these conditions are ne-
cessary for mens' admission into the Church,
they must be so for their continuance in it.
For no reason can be shewn why men
should be obliged to vow faith and obedience
in order to their becoming members of the
Church, which does not equally hold for
their exclusion from it when they notori-
ously break that vow: so that the power of
excommunication is a manifest consequence
of the baptismal covenant, and committed to

the governors of the Church, who have the
dispensation of the sacraments.

Thirdly, As it has received this power
from our Lord's institution. Upon Pe-
ter's confessing our Lord to be the Son of
God, he declared first, that upon this rock
he would build his Church, against which
the gates of hell should never prevail; and
then added, *I will give unto thee*, (that is,
to Peter; and with him to the rest of the
apostles,) *the keys of the kingdom of heaven,*
and whatsoever thou shalt bind on earth,
shall be bound in heaven, and whatsoever
thou shalt loose on earth shall be loosed in
heaven (a); the meaning of which pro-
mise is manifestly this, that the apostles and
their successors should be chief governors of
the Church under Christ, and as such should
have authority to admit and exclude, to con-
demn or absolve, whom they judged con-
venient; which is certain from another pas-
sage, where our Lord having cautioned his
disciples that they should not offend others,
proceeds to instruct them how to behave
themselves when others should offend them.
That first they should privately admonish
the offender; if this did not bring him to
repentance they should then reprove him
before two or three witnesses; but if this
also proved unsuccessful, their last remedy
should be to *tell it to the Church*; and if
the offender still neglected to hear, as their
authority was wholly spiritual, and they
could not inflict any civil punishment on
him, all that our Lord directs them to do is,
that they should account the obstinate offen-
der *as an heathen or a publican* (b); they
should look on him no longer as a member of
the Church, but place him among infidels,
and other profligate men, whose conver-
sation they used to shun.

That this authority was exercised and
held to be of divine right by the Apostles
and their successors the Bishops of the pri-
mitive Church, is clear: from the case of
Ananias and Sapphira, when it pleased
God to attest the apostolic authority of re-
taining sins by enabling Peter to strike
both the offenders with present death (c);
and from the case of the incestuous *Corin-
thian* (d), whom St. Paul delivered to
Satan, excluded from the Church of Christ,
for the crime of incest, and afterwards re-
ceived again to communion upon repentance.
And this power was not confined to the
apostles, but was to be continued to their
successors; we find it was committed to
Timothy and *Titus*, whom St. Paul set
over the Churches of *Ephesus* and *Creta*.
For he writes thus to *Timothy*: *Against an
elder receive not an accusation, but before
two or three witnesses* (e); and if he had
power to receive accusations and bear wit-
nesses, he must have authority to pass some
censure upon them, if they were found
guilty. And the same apostle writes thus to
Titus: *A man that is an heretic after
the first and second admonition reject* (f).
The like power had the angels of the seven
Churches in the Revelation. For the bishop
of *Pergamus* was severely reprov'd for hav-
ing the *Nicolaitans* in his communion (g),
and the Bishop of *Thyatira* for suffering
that woman *Jezabel* (h). Which mani-
festly implies, they had authority to exclude
them from the Church, for otherwise they
could not have been blamed for permitting
them to remain in it.

Ninthly, Lastly, another right of the
clergy, is that of demanding a competent
maintenance from the people committed to
their charge. It is certain that God has an
absolute right to dispose of all we have in the
world; and since it has appeared, that he
has appointed an order of men, to attend
continually on his worship and service, we
cannot doubt but that he requires so much of
our worldly substance to be set apart for

(a.) Mat. xvi. 19. (b.) Mat. xviii. 18, 19.
(c.) Acts v. 12. (d.) 1 Cor. v. 1. (e.)
1 Tim. v. 19. (f.) Tit. iii. 10. (g.) Rev. ii. 25.
16. (h.) Rev. ii. 20.