

Hon. Judge Chipman



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# THE ROYAL GAZETTE.

FREDERICTON, NEW-BRUNSWICK, TUESDAY, SEPTEMBER 30, 1828.

By His Excellency Major General Sir HOWARD DOUGLAS, Baronet, Lieutenant-Governor, and Commander-in-Chief of the Province of New-Brunswick, &c. &c. &c.

HOWARD DOUGLAS.

## A PROCLAMATION.

WHEREAS the General Assembly of this Province stands prorogued to Tuesday the sixteenth day of this instant September: I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued to the third Tuesday in December next ensuing.

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

By His Excellency's Command.

WM. F. ODELL.

SECRETARY'S OFFICE, 4th August, 1828.

WHEREAS in compliance with an Address to His Excellency the Lieutenant-Governor, founded on a Resolution of the House of Assembly of this Province at their late Session; His Excellency has been pleased to appoint Thomas Heaviside, of the City of Saint John, Esquire, to audit and examine the several accounts of expenditure of the public money of the Province, and to call for all necessary information relating thereto: Therefore all persons in any way concerned are hereby required to take due notice of this appointment, and submit their respective accounts for examination to Mr. Heaviside, who will report his proceedings to His Excellency in order that the same may be laid before the General Assembly at their next Session.

By order of His Excellency,

The Lieutenant-Governor,  
WM. F. ODELL.

## Published by Authority.

AT THE COURT OF ST. JAMES', 28th April, 1828.

PRESENT

## THE KING'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by a certain Act of Parliament, passed in the sixth year of the Reign of His present Majesty, intituled "An Act to regulate the Trade of the British Possessions abroad;" after reciting that "by the law of Navigation, Foreign ships are permitted to import into any of the British Possessions abroad, from the countries to which they belong, goods, the produce of those countries, and to export goods from such Possessions, to be carried to any Foreign country whatever, and that it is expedient that such permission should be subject to certain Conditions;" it is enacted that "the privileges thereby granted to Foreign ships, shall be limited to the ships of those countries which, having Colonial Possessions, shall grant the like Privileges of trading with those Possessions to British ships, or which, not having Colonial Possessions, shall place the Commerce and Navigation of this country, and of its Possessions abroad, on the footing of the most favored nation; unless His Majesty, by his Order in Council, shall in any case deem it expedient to grant the whole or any of such Privileges to the ships of any Foreign country, although the conditions aforesaid shall not in all respects be fulfilled by such Foreign Country."

AND WHEREAS by an Act passed in the seventh and eighth years of His present Majesty's reign, intituled "An Act to amend the Laws regulating the Customs;" after reciting or taking notice of the said Act so passed as aforesaid in the sixth year of His Majesty's reign; and after reciting that unless some period were limited for the fulfilment by Foreign countries of the Conditions mentioned and referred to in the said recited Act, the Trade and Navigation of the United Kingdom and of the British Possessions abroad, could not be regulated by fixed and certain rules, but would continue subject to changes dependant upon the Laws from time to time made in such Foreign countries; it is therefore enacted that no Foreign Country shall be deemed

hereafter to have fulfilled the conditions so prescribed as aforesaid in and by the said Act, as to be entitled to the Privileges therein mentioned, unless such Foreign country had in all respects fulfilled those conditions within twelve months next after the passing of the said Act, that is to say, on or before the fifth day of July, one thousand eight hundred and twenty six; and for the better ascertaining what particular Foreign countries are by Law permitted to exercise and enjoy the said Privileges, it is further enacted that no Foreign country shall hereafter be deemed to have fulfilled the before mentioned Conditions, or to be entitled to the Privileges aforesaid, unless and until His Majesty shall by some Order or Orders, to be by Him made, by the advice of His Privy Council, have declared that such Foreign country hath so fulfilled the said Conditions, and is entitled to the said Privileges; provided always and it is thereby declared and enacted, that nothing therein contained extends, or shall be construed to extend, to make void or annul any Order or Orders in Council theretofore issued, under the authority or in pursuance of the said recited Act, or to take away or abridge the powers vested in His Majesty in and by the said Act, or any of those powers, anything therein contained to the contrary in any wise notwithstanding.

AND WHEREAS the Conditions mentioned and referred to in the said Acts of Parliament, have not in all respects been fulfilled by the Government of His most Catholic Majesty the King of Spain, and therefore the Privileges so granted as aforesaid by the Law of Navigation to Foreign ships, cannot lawfully be exercised or enjoyed by the ships of Spain, unless His Majesty, by His Order in Council, shall grant the whole or any of such Privileges to such Spanish ships.

AND WHEREAS His Majesty, by and with the advice of His Privy Council, doth deem it expedient to grant the Privileges aforesaid in certain cases to ships of the dominions of His most Catholic Majesty the King of Spain; His Majesty doth therefore, by the advice aforesaid, and in pursuance and exercise of the powers and authority in Him vested by the said recited Act of Parliament, declare and grant that it shall and may be lawful for Spanish ships to import into any of the British Possessions abroad, from the Colonies and Foreign Possessions of His most Catholic Majesty, goods, the produce of those Colonies and Possessions, and to export goods from such British Possessions abroad, to be carried to any Foreign country whatever.

AND the Rt. Hon. the Lords Commissioners of His Majesty's Treasury, and the Right Hon. William Huskisson, one of His Majesty's principal Secretaries of State, are to give the necessary directions herein as to them may respectively appertain.

(Signed)

JAS. BULLER.

## NEW-BRUNSWICK.

By the Honourable John Saunders, Esquire, Chief Justice of the Supreme Court of Judicature for the Province of New-Brunswick.

NOTICE is hereby given to all whom it may concern, that upon the application of Thomas R. Robertson, 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 William Moore, late of Woodstock, in the County of York and Province aforesaid, (which said William Moore is departed from and out of the limits of this Province, or is concealed within the same, with intent and design to defraud the said Thomas R. Robertson, and Thomas L. Langen, and the other Creditors of the said William Moore, (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 William Moore do return and discharge the said debt or debts within three months from the publication hereof, all the Estate as well real as personal of the said William Moore, within this Province, will be sold for the payment and satisfaction of the Creditors of the said William Moore.

Dated at Fredericton, the fourteenth day of July, in the year of our Lord one thousand eight hundred and twenty-eight.

JOHN SAUNDERS, C. J.

C. S. PUTNAM, Atty. }  
for Petitioning Creditors. }

3mp.

By William Abrams, Esquire, one of His Majesty's Justice of the Inferior Court of Common Pleas, for the County of Northumberland.

NOTICE is hereby given, that upon the application of James Gilmour, as well on the part of himself, as on the part of John Pollok, Allen Gilmour, Arthur Pollok, and Alexander Rankin, trading under the name, style, and firm of Gilmour, Rankin, & Co., of Miramichi, Merchants, to me duly made, pursuant to the directions of the Act of the General Assembly in such case made and provided; I have directed all the Estate as well real as personal of John Milligan, late of Miramichi, in the County aforesaid, Sumnerer, (which said John Milligan, hath 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 James Gilmour, John Pollok, Allen Gilmour, Arthur Pollok, and Alexander Rankin, and other the Creditors of him the said John Milligan, 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 John Milligan 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 John Milligan, within this Province, will be sold for the payment and satisfaction of the Creditors of the said John Milligan.

Dated at Newcastle, the seventh day of June, in the year of our Lord one thousand eight hundred and twenty-eight.

JOHN A. STREET, Atty. }  
for Petitioning Creditors. }

3mp.

(Signed) WILLIAM ABRAMS, J. C. P.

By Robert Parker, Esquire, Recorder of the City of Saint John, and one of the Judges of the Inferior Court of Common Pleas for the City and County of Saint John, in the Province of New-Brunswick.

TO ALL WHOM IT MAY CONCERN, GREETING: NOTICE is hereby given, that upon the application of John V. Thurgar, of the City of Saint John, Merchant, to me duly made according to the form of the Act of Assembly in such case lately made and provided; I have directed all the Estate as well real as personal within the said City and County of Saint John, of Robert Gibson, late of the same City, Grocer, (which same Robert Gibson, is departed from and without the limits of this Province, with intent and design to defraud the said John V. Thurgar, and the other Creditors of the said Robert Gibson, 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 Robert Gibson 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 Robert Gibson, within the said City and County of Saint John, will be sold for the payment and satisfaction of the Creditors of the said Robert Gibson.

Dated at St. John, the twenty-sixth day of January in the year of our Lord one thousand eight hundred and twenty-eight.

ROBERT PARKER,

Recorder of the City of Saint John.

## Sale of Crown Lands.

DISTRICTS, No. 1, 3, 4, 5, 7, 8, 9, 13, 14.

BY order of His Excellency the Lieutenant-Governor, Public Notice is hereby given, that various Tracts of Vacant Crown Land will be offered for Sale, by Auction, at the undermentioned times and places, subject to the regulations formerly published, and to Conditions of cultivation and improvement similar to those expressed in the Grants heretofore passed.

At Gage-Town, on Thursday the 11th of September, 1828.

A Number of Vacant Lots on the Nerepis Road and Stream, and in the Vicinity of the numerous Settlements between the said Stream and the River Saint John, and Va-