

Hand Chipman Esq

THE NEW-BRUNSWICK

ROYAL



GAZETTE.

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The Gazette.

By His Honor WARD
CHIPMAN, Esquire,
(L. S.) President and Com-
mander in Chief of
the Province of New-
Brunswick, &c. &c.
&c.

WARD CHIPMAN.

A PROCLAMATION.

WHEREAS the Ge-
neral Assembly of
this Province stands proro-
gued to Wednesday the
fourth day of June next en-
suing, I have thought fit, by
and with the advice of His
Majesty's Council, further to
prorogue the said General
Assembly, and the same is
hereby prorogued to Wed-
nesday the twenty-fifth day
of the same month of June,
then to meet at Fredericton for
the dispatch of business.

Given under my Hand
and Seal at Frederic-
ton, the second day
of April, in the year of
our Lord one thou-
sand eight hundred
and twenty-three,
and in the fourth year
of His Majesty's
Reign.

By His Honor's Command.
WM. F. ODELL.

By The Honorable WARD CHIP-
MAN, Esquire, President and
(L. S.) Commander in Chief of the
Province of New-Brunswick,
&c. &c. &c.

WARD CHIPMAN.

A Proclamation.

WHEREAS in and by two certain
Acts of the General Assembly
of this Province, made and passed on the
twenty-seventh day of March in the fourth
year of His Majesty's Reign, one of which
Acts is intituled "An Act to repeal an
"Act to increase the Revenue of this Pro-
"vince by imposing a duty on certain
"Merchandise," and the other of which
Acts is intituled "An Act to alter and
"amend an Act intituled an Act to pro-
"vide for the support of a Light House to
"be built on Partridge Island." Such
provisions and enactments are made, that
from and after the passing of the said Act,
no duties of tonnage or impost, and no
charges of any kind, are levied or exacted
upon the Vessels of the United States of
America admitted into the Ports of St. John
and Saint Andrews in this Province, being
two of the Ports enumerated in the Schedule
marked A, annexed to a statute of the United
Kingdom of Great Britain and Ireland,
made and passed in the third year of His
Majesty's Reign intituled "An Act to re-
"gulate the Trade between His Majesty's
"Possessions in America and the West In-
"dies and other places in America and the
"West Indies," or upon any Goods Wares
or Merchandise imported therein, in the
said Vessels other or higher than are levied
and enacted upon British Vessels, or upon
the like Goods, Wares, and Merchandise,
imported into the said Ports from elsewhere.

And whereas it is expedient to declare and
make known the same.

I have therefore thought fit to issue this
Proclamation, hereby declaring that no other
or higher duties, and no other charges of any
kind are levied or exacted upon the Vessels
of the said United States admitted into the
said Ports, or upon any Goods, Wares or
Merchandise, imported therein in the said
Vessels other than upon British Vessels, or
upon the like Goods, Wares, or Merchan-
dize, imported into the said Ports from else-
where.

Whereof all persons whom it may con-
cern are to take notice and govern themselves
accordingly.

Given under my Hand and Seal at
Fredericton, the eighth day of April,
in the year of our Lord one thou-
sand eight hundred and twenty-
three, and in the fourth year of His
Majesty's Reign.

By The President's Command,
WM. F. ODELL.

By His Excellency Major-General GEORGE
STRACEY SMYTH, Lieutenant-Govern-
(L. S.) nor and Commander-in-Chief of the Pro-
vince of New-Brunswick, &c. &c. &c.
G. S. SMYTH.

A Proclamation.

WHEREAS several Persons have
memorialled for Licences to cut
Pine Timber off the Crown Lands, without
coming forward to take out the same, and
have their Births surveyed agreeably to re-
gulation—Such Persons are hereby cautioned
against proceeding to cut the Timber ap-
plied for, under the penalty of being pro-
ceeded against in common with other Tres-
passers.

A list will be published in the Royal
Gazette, of the names of those Persons who
have taken out their Licences and complied
with all the requisite conditions; after which
notification, no more Licences will be grant-
ed for the present Season.

Given under my Hand and Seal at Frederic-
ton, the third day of February, in the year
of our Lord one thousand eight hundred and
twenty-three, and in the fourth year of His
Majesty's Reign

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

By The Honourable WARD
CHIPMAN, Esquire, President,
(L. S.) and Commander in Chief of the
Province of New-Brunswick,
&c. &c. &c.

WARD CHIPMAN.

A Proclamation.

WHEREAS in and by His Ma-
jesty's Royal Commission and
Instructions to the Governor of this Pro-
vince, it is provided that "in the event of
"the death of the Lieutenant Governor, the
"Senior Member of the Council who shall
"then be residing within the Province
"shall take upon him the Administration
"of the Government, and execute the said
"Royal Commission and Instructions, and
"the several powers and authorities therein
"contained, in the same manner and to all
"intents and purposes, as other His Ma-
"jesty's Governors or Commanders in
"Chief should or ought to do in the ab-
"sence of the said Governor, until his re-
"turn, or in all cases until His Majesty's
"further pleasure be known therein." And
whereas in and by the said Commis-
sion and Instructions it is further declared
to be His Majesty's Will and Pleasure that
the Governor of the said Province do, upon
his appointment, "fit himself with all con-
"venient speed to repair to the Seat of
"Government in the said Province, and
"being arrived there, to take upon him the
"execution of the office and trust reposed
"in him; and that after the Publication
"of His Majesty's Royal Letters Patent to
"him, he take the Oaths and make and
"subscribe the Declaration in such cases
"by Law required. All which being duly

"performed," the said Governor is autho-
rized to proceed further in the execution of
the said Commission and Instructions.

And whereas upon the death of the late
Lieutenant-Governor and Commander in
Chief of this Province, His Majesty's Coun-
cil having forthwith assembled, and taken
into consideration the said Commission and
Instructions, did thereupon order that notice
be immediately sent by express to the Hon-
orable GEORGE LEONARD, the Senior
Member of the Council, apprizing him of
this Event, and requesting him to repair im-
mediately to the Seat of Government and
assume the Administration of the Govern-
ment, and in case he should in any way be
prevented from repairing immediately to the
Seat of Government, that he should be re-
quested to signify the same in writing, and
that thereupon the like notice and request
should be sent forthwith to the Honorable
CHRISTOPHER BILLOPP, Esquire, the
next Senior Member.

And whereas neither the said GEORGE
LEONARD, nor the said CHRISTOPHER
BILLOPP, did, as required by the said
Commission and Instructions, repair to Fre-
dericton. And it appearing to His Ma-
jesty's Council to be necessary, in conform-
ity with the said Royal Commission and
Instructions, that the Person to administer
the Government should be sworn in at Fre-
dericton, being the Seat of Government of
the Province; and the exigencies of the
Province admitting of no delay, It was there-
upon resolved, that the next Member in suc-
cession on the list of Counsellors should be
admitted to the Administration of the Go-
vernment.

And whereas, being next in succession
upon the list of Counsellors, and being pre-
sent in Council, I did thereupon, by and
with the advice and consent of the said
Council, on the first day of April last, take
the usual and requisite Oaths, and did assume
the Administration of the Government, as
President and Commander in Chief of the
said Province, until His Majesty's further
pleasure be known therein; and no other
Person has been appointed and sworn to
Administer the said Government.

And whereas the Person to Administer
the Government is, by sundry Acts of Par-
liament relating to Trade, to take the Oaths
therein mentioned, before his entrance into
his Government.

And whereas the said CHRISTOPHER
BILLOPP, not regarding the said Commis-
sion and Instructions, and the said several
Acts of Parliament, did cause to be printed
and published in the City of Saint John,
certain Instruments, purporting to be Pro-
clamations in his name, as Administrator of
the Government and Commander in Chief
of the Province, in which Instruments it is
declared that all Proclamations, Civil Ap-
pointments and Public Acts whatsoever
done and issuing in my name and by my
authority as President and Administrator of
the Government of the Province are abso-
lutely illegal and of no effect, to the distur-
bance of the Public Peace and great disquiet
of all His Majesty's Faithful and Loyal
Subjects in this Province.

I have therefore thought fit, by and with
the advice and consent of His Majesty's
Council, to issue this Proclamation, hereby
to make known and declare that the said
Publications so printed and published as
aforesaid, by and in the name of the said
CHRISTOPHER BILLOPP, are altogether
without any legal authority, and are null and
void, and of no effect. And I do hereby,
by and with the advice and consent afore-
said, forewarn and prohibit all Persons from
printing or publishing, in any manner or
form whatsoever, any Instrument, Docu-
ment, Act or Deed, whatever, as the Act
or Deed of the Executive Government, or
of any Person as the Administrator of the
Government, or of His Majesty's Council

of this Province, unless the same shall be
previously authenticated by Publication in
the Royal Gazette, printed at Fredericton,
and by the official signature thereto of the
Secretary of the Province, or his Deputy
thereunto lawfully authorized, or by some
or one of those marks of authenticity. And
I do hereby require all Magistrates and pub-
lic officers and all other His Majesty's faith-
ful and loyal subjects, to take due notice of
this Proclamation, and to govern themselves
accordingly.

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

By The President's Command,
WM. F. ODELL.

NEW-BRUNSWICK, } February 25th,
In Chancery, } 1823.
Between George Ludlow, and others,
Complainants,

And Joseph Young, Defendant.

FORASMUCH as the Court was this
day informed by Mr. Robinson, of
Counsel for the Complainants that the Bill
in this cause was filed on the thirteenth day
of July last, as by the certificate of their
Clerk in Court appears, and process of Sub-
poena taken out against the said Defendant,
but that the said Defendant now resides
without the limits of this Province, or doth
otherwise abscond to avoid being served with
such process as by affidavit appears. And
the said certificate and affidavit being read,
the truth of the above allegation being made
out to the satisfaction of the Court: It is
ordered, that the said Defendant do appear
and answer to the Complainants' bill, on or
before the tenth day of June next.

By the Court,
D. L. ROBINSON,
Registrar.

NOTICE is hereby given, that we the
Subscribers have been duly appoint-
ed Trustees of all the Creditors of William
Dougald, late of the City of Saint John in
the Province of New-Brunswick Mariner,
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 provi-
ded, and we do hereby require all persons
indebted to the said William Dougald, on
or before the tenth day of July 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 William Dougald, and to deliver all
other effects of the said William Dougald,
which they or any or either of them may
have in his, her or their hands, power, or cus-
tody, to us, or some or one of us as aforesaid;
and we do also desire all the Creditors of
the said William Dougald on or before the
same day, to deliver to us, or to some or one
of us as aforesaid, their respective accounts
and demands against the said William Dou-
gald, in order that right and justice may be
done agreeably to the form of the Act of
Assembly in such case made and provided.

Given under our hands at the City
of Saint John aforesaid this tenth
day of April, in the year of our
Lord one thousand eight hundred
and twenty-three.

DANIEL SCOVIL, } Trus-
WM. TYNG PETERS, } tees.
STEPHEN SMITH.

By the Honorable JOHN SAUN-
DERS, Esquire, Chief Justice 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
application of Henry Smith, Esq.
to me duly made according to the form of