

*New Brunswick*

# THE NEW-BRUNSWICK ROYAL GAZETTE



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TUESDAY, 4th SEPTEMBER, 1827.

[NUMBER 27.]

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 a General Assembly of this Province has been summoned to meet at Fredericton on the second Tuesday of this instant July: I have thought fit to prorogue the said General Assembly, and the same is hereby prorogued to the second Tuesday in October next ensuing.

Given under my Hand and Seal at Fredericton, the sixth day of July in the Year of our Lord one thousand eight hundred and twenty-seven, and in the eighth Year of His Majesty's Reign.

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

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

## AN ORDINANCE.

HOWARD DOUGLAS.

WHEREAS the times of holding the Hilary and Easter Terms of the Supreme Court, as established by Ordinance, bearing date the twelfth day of February in the year of our Lord one thousand eight hundred and ten, have been found inconvenient, I have therefore thought fit, by and with the advice and consent of His Majesty's Council, to ordain and declare, and I do by these presents ordain and declare that the said Hilary Term shall in future commence on the First Tuesday in February in every year, and the said Easter Term, on the first Tuesday in May in every year, instead of the Third Tuesday in February and May respectively, as established by the said Ordinance; and the said Terms shall continue from the said Tuesdays, respectively, until the Saturday following, on which day they shall respectively end, unless the Justices of the said Court shall adjourn the sittings thereof to the Week succeeding the said Terms respectively, under the provisions of the Act of Assembly in such case made and provided; and of this Regulation His Majesty's Justices of the Supreme Court, and all others whom it may concern, will take due notice and govern themselves accordingly.

Given under my Hand and Seal at Fredericton, the seventeenth day of July in the Year of our Lord one thousand eight hundred and twenty-seven, and in the eighth Year of His Majesty's Reign.

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

## BY AUTHORITY.

Fredericton, 11th June, 1827.

IT having been represented to His Excellency the Lieutenant-Governor, by the Commissioners for superintending the Indians in this Province; that persons are in the habit of trespassing upon their clearances, by turning Cattle into them and removing their Fences: Notice is hereby

given, that upon due representation being made of such trespasses to the Commissioners, they will submit the same to His Excellency, order that the Law Officers of the Crown may be immediately instructed to proceed against the parties so offending with all possible rigour and dispatch. And in those cases in which the Land shall be in the possession or cultivation of an individual they will lay them before the Lieutenant-Governor, and recommend the expediency of an action being entered and carried on by the Commissioners in the name and on behalf of the Party aggrieved.

Hon. S. P. HURD,  
Rev. Archdeacon BEST,  
C. S. PUTNAM, Esq.,  
Commissioners for Superintending the Indian Affairs.

## By Authority.

Surveyor-General's Office,  
21st May, 1827.

IN consequence of the late regulations regarding the disposal of Lands in this Province, the Surveyor-General feels it his duty to request the attention of the gentlemen holding deputations under him, to the necessity of the immediate execution of those orders of survey, at present in their hands, and to an active and punctual performance of all future orders of survey: and it being a matter of extreme importance to the interests of those individuals to whom Lands have been allotted by His Excellency the Lieutenant-Governor and His Majesty's Council, in conformity with the mode of granting Lands hitherto practised in the Colony, to be put without delay in possession of their Titles from the Crown, he trusts they will lose no moment when a Deputy notifies to them the receipt of an order of survey in their favor, in attending to have it executed; and he begs at the same time to remind them that their failing to avail themselves of this communication will be intirely at their own risk.

NOTICE is hereby given that we the Subscribers have been duly appointed Trustees for all the Creditors of John Leper, Patrick M'Manus, and John Carland, late of Fredericton in the County of York, absconding debtors, and have been 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 John Leper, Patrick M'Manus and John Carland, or to either of them, on or before the sixth day of September 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 John Leper, Patrick M'Manus, and John Carland, or to either of them; and to deliver the other effects of the said John Leper, Patrick M'Manus, and John Carland or of either of them which they or any 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 John Leper, Patrick M'Manus, and John Carland, on or before the said sixth day of October next, to deliver to us, or to

some or one of us, as aforesaid, their respective accounts and documents against the said John Leper, Patrick M'Manus, and John Carland, 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 Fredericton in the said County of York, the fifth day of June one thousand eight hundred and twenty seven.

GEORGE P. BLISS,  
MARK NEEDHAM,  
T. L. LANGAN. } Trustees.

NOTICE is hereby given, that we the subscribers have been duly appointed Trustees for all the Creditors of George Tompkins, late of the parish of Northampton, in the County of York, Yeoman, an absconding debtor, and have been 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 George Tompkins on or before the twentieth day of August 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 George Tompkins, and to deliver the other effects of the said George Tompkins which they or any 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 George Tompkins, on or before the said twentieth day of August next, to deliver to us, or some, or one of us as aforesaid, their respective accounts and documents against the said George Tompkins, 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 Fredericton, in the said County of York, the nineteenth day of May, one thousand eight hundred and twenty seven.

H. G. CLOPPER,  
WM. TAYLOR,  
RICHARD DIBBLEE. } Trustees.

By the Hon WARD CHIPMAN, Esquire, one of the Justices of His Majesty's Supreme Court of Judicature for the Province of New-Brunswick.

NOTICE is hereby given to all whom it may concern, that upon application of John Smyth 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 this Province, of William Lally, late of the City of Saint John, in the City and County of St. John and Province aforesaid, Yeoman, (which said William Lally hath departed from and without the limits of this Province, or is concealed within the same, with intent and design to defraud the said John Smyth and other the Creditors of the said William Lally, if any there be, of their just dues, or else to avoid being served with the ordinary process of the law as is alleged against him,) to be seized and attached, and that unless the said William Lally 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 William Lally, within this Province, will be sold for the payment and satisfaction of the Creditors of the said William Lally.

Dated at the City of St. John, in the City and County of St. John, this third day of May, in the year of our Lord one thousand eight hundred and twenty-seven.

WARD CHIPMAN.

H. N. H. LUGRIN, Atty.  
for Petitioning Creditors, et al.

By John Keillor, Esquire, one of the Justices of His Majesty's Inferior Court of Common Pleas for the County of Westmorland.

NOTICE is hereby given that upon application of James M. Kelly of Monckton, in the County aforesaid, Trader, 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 Samuel Cornwall, late of Monckton, aforesaid, Mariner (which said Samuel Cornwall, hath either departed from and without the limits of this Province or is concealed within the same with intent and design to defraud the said James M. Kelly and other his Creditors if any there be, of their just dues, or to avoid being arrested by the ordinary process of the Law,) to be seized and attached, and that unless the said Samuel Cornwall, do return and discharge the said debt within three months from the publication hereof, all the Estate as well real as personal of the said Samuel Cornwall, within this Province, will be sold for the payment and satisfaction of the Creditors.

Dated at Dorchester the thirtieth day of June in the Year of our Lord one thousand eight hundred and eighteen.

JOHN KEILLOR, J. C. P.

EDWARD B. CHANDLER, Atty.

NEW-BRUNSWICK,  
In Chancery.

The eighth day of March in the eighth year of the Reign of King George the Fourth.

Between Ward Chipman Complainant and James M'Iver, Defendant.

FORASMUCH as the Court was this day informed by Mr. R. F. Hazen of Counsel for the Complainant, that the Complainant on the fourteenth day of February one thousand eight hundred and twenty-seven filed his Bill in this Court against the said defendant, as by the certificate of the Register of this Court appears and took out process of Subpoena, returnable on the Saturday next after the third Tuesday in February then next requiring the said defendant to appear and answer the same, but that the said defendant James M'Iver, is gone out of the limits of this Province and has been absent therefrom for the space of twelve months last past as by affidavit appears and the said certificate and affidavit being read, and the truth of the above allegations being made out to the satisfaction of this Court, It is ordered that the said defendant do appear to the Complainant's Bill on or before the ninth day of September next.

By the Court.  
D. L. ROBINSON, Reg'r.

ROBERT F. HAZEN,  
Complainant's Solicitor.

NEW-BRUNSWICK,  
In Chancery.

The eighth day of March in the eighth year of the Reign of King George the Fourth.

Between Ward Chipman Complainant and David Swan impleaded with Matthew Graham, Defendants.

FORASMUCH as the Court was this day informed by Mr. R. F. Hazen of Counsel for the Complainant, the Complainant, on the twenty