

Ward Chipman Complainant

# THE NEW-ROYAL



# BRUNSWICK GAZETTE

VOLUME XIV.] TUESDAY, MAY 1st 1827. [NUMBER 9.]

## THE GAZETTE.

### PUBLIC NOTICE

It is hereby given that the undermentioned Wharves in the Port of Saint John, have been approved for the landing and securing of Lumber and Staves from the United States, for exportation to the West Indies under the Act of VI. Geo. IV. Cap. 114. viz.

Messrs. Leavitt & Co's. Wharf, in Nelson Street.

Messrs. Barlow & Son's Wharf, at York Point.

Messrs. Crookshank & Walker's Wharf, near York Point.

Messrs. Hugh Johnston & Co's. Wharf, Saint John-street.

### Published by Authority.

Circular to the Magistrates of the County of York.

SECRETARY'S OFFICE,  
Fredericton, 9th March, 1827.

**S**ATISFACTORY assurances having been conveyed to His Majesty's Government of the earnest wish of the Government of the United States to reciprocate the conciliatory disposition shown in regard to the Disputed Territory, at the upper part of the River Saint John, it is most desirable, until the question relating thereto shall be finally settled, that no new settlements shall be made, or any timber or other trees felled, in the wilderness part of that Territory, nor any act done which may change the state of the question as it existed when the Treaty of Ghent was executed.

I am therefore commanded by His Excellency the Lieutenant-Governor to desire that you will be vigilant and use your utmost diligence to discover any attempts which may be made by any of His Majesty's subjects to intrude upon any part of that Territory with a view to make settlements or to procure timber, and to make immediate representation thereof to His Majesty's Attorney General, that legal steps may be taken to punish such Intruders and Trespassers; and should you discover similar attempts to be made by any other persons whether unauthorized or appearing to act under colour of authority, that you will use your best endeavours to ascertain the names of such persons and report the same to me, with affidavits to establish the facts, for His Excellency's consideration.

I have the honor to be &c.  
(Signed) WM. F. ODELL,  
To A. B. Esq. one of the Magistrates of Y. County.

**N**OTICE is hereby given that we the subscribers have been duly appointed Trustees for all the Creditors of John Keichum Smith late of the Parish of Woodstock, in the County of York, Tanner, 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 John K. Smith, on or before the first day of July 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 K. Smith, and to deliver the other effects of the said John K. Smith, 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 John K. Smith on or before the said first day of July next, to deliver to us or some or one of us as aforesaid, their respective accounts and documents against the said John K. Smith 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 eighteenth day of April one thousand eight hundred and twenty-seven.

D. L. ROBINSON,  
G. MINCHIN,  
Wm. TAYLOR, } Trustees.

**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 Niel Friell, Defendant.

**FORASMUCH** as the Court is 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 requiring the said defendant to appear and answer the same, but that the said defendant Niel Friell, 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 } Defendants.  
{ with Matthew Graham. }

**FORASMUCH** as the Court was this day informed by Mr. R. F. Hazen of Counsel for the Complainant, that the Complainant, on the twenty fourth day of August one thousand eight hundred and twenty six, filed his Bill in this Court against the said David Swan and Matthew Graham, as by the certificate of the Register of this Court appears and took out process of Subpoena returnable on a Saturday next after the second Tuesday in October then next, requiring the said David Swan and Matthew Graham to appear to answer the same, but that the said David Swan 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 David Swan 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.

### BY AUTHORITY.

An Act for the division of the County of Northumberland into three Counties, and to provide for the Government and Representation of the two new Counties.

Passed the 7th March 1826.

**W**HEREAS from the great extent of the present County of Northumberland, it is necessary and expedient that the same be divided into three Counties.

**I. Be it therefore enacted by the Lieutenant Governor, Council and Assembly,** That all that part of the said County which now forms the Parishes of Carleton and Wellington, and also that part which lies in the rear thereof and not included in the Parishes of Ludlow, Nelson, or Chatham, be, and the same is hereby erected into a County separate and distinct from the said County of Northumberland, to be called and known by the name of the County of Kent, and that all that other part of the said County of Northumberland which now forms the Parishes of Saumarez, and Beresford, be, and the same is hereby erected into another County separate and distinct from the said County of Northumberland, to be called and known by the name of the County of Gloucester, and that the residue of the said County of Northumberland continue to form the same County.

**II. And be it further enacted,** That the like Courts of Justice shall be erected and established; and the like Justices and other Officers be constituted and appointed in the said two new Counties respectively, as are now erected and established constituted and appointed in the said County of Northumberland, and with the like powers and authorities.

**III. And be it further enacted,** That the Courts of General Sessions of the Peace and Inferior Courts of Common Pleas, shall be holden in the respective Shire Towns of the said two new Counties, twice in every year at the times following, that is to say; for the said County of Kent, on the third

Tuesdays in January and June, and for the said County of Gloucester, on the second Tuesdays in January and June, and continue until the business shall be finished, not exceeding five days; and that the two additional terms of the said Inferior Courts of Common Pleas for the said two new Counties, shall be holden as follows, that is to say; for the said County of Kent, on the first Tuesdays in April and September, and for the said County of Gloucester, on the second Tuesdays in April and October, and continue until the business shall be finished, not exceeding five days, at which additional terms no Jury shall be summoned.

**IV. And be it further enacted,** That the said two new Counties shall be, and the same are hereby respectively subdivided into Towns or Parishes as follows, to wit: The said County called the County of Kent shall be divided into six Towns or Parishes, the first to retain the name of Carleton to be formed of the Northwesterly part of the present Parish of Carleton, and to be divided from the other part, by a line to be drawn through the middle of the River and lake Aldouane, and to comprehend the Islands lying in front thereof. The second Town or Parish to be called and known by the name of Liverpool, and to be bounded Northwesterly by the said River and lake Aldouane, and Southeasterly by a line running through the middle of the River Chockpish, to comprehend the Islands in front. The third Town or Parish to retain the name of Wellington, to be bounded Northwesterly by the said Parish of Liverpool, and Southeasterly by a line running through the middle of the River Mahalawodiak, comprehending the Islands in front. The fourth Town or Parish to be called and known by the name of Dundas, to be formed of the residue of the present Parish of Wellington, comprehending the Islands in front. The fifth Town or Parish to be called and known by the name of Huskisson, to comprehend all that part of the residue of the said County of Kent which lies to the Northwest of the River Riehibucto; and the sixth Town or Parish to be called and known by the name of Harcourt, to be formed of the residue of the same County. The said County of Gloucester shall be divided into five Towns or Parishes as follows, to wit: The first Town or Parish to be formed of the Easterly part of the present Parish of Saumarez, to retain that name, and to be divided from the other part thereof by a line to be drawn through the middle of a small stream called Teague's Brook, about eight miles Eastward of Nipisquit Bay, from its mouth to its source, and thence South by the Magnet. The second Town or Parish to be called and known by the name of Bathurst, and to be formed of the Residue of the said Parish of Saumarez. The third Town or Parish to retain the name of Beresford, to be formed of that part of the present Parish of Beresford which lies to the Eastward of a line drawn through the middle of Benjamin River. The fourth Town or Parish to be called and known by the name of Addington, and to be formed of that part of the present Parish of Beresford, lying between Benjamin River, and a line to be drawn through the middle of the River Upsalquitch