

being arrested by the ordinary process of law, as is alleged against him,) to be seized and attached, and that unless the said Isaac Smith, 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 Isaac Smith, within this province, will be sold for the payment and satisfaction of the creditors of the said Isaac Smith.

Dated at Fredericton, this twenty-first day of September, in the year of our Lord one Thousand eight hundred and twenty-seven.

JOHN M. BLISS.

G. J. DIBBLEE, Atty.
for Petitioning Creditors.

By Alexander Davidson, 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 upon the application of Joseph Samuels of the Parish of Chatham, to me duly made pursuant to the directions to the Act of the General Assembly, in such case made and provided, stating that Robert Martin, late of Chatham, in said County, Tavern Keeper, is justly indebted to him, and hath departed from this Province, after said debt was contracted, or keeps concealed within the same, to avoid being served with the ordinary process of the law, with an intent of defrauding his Creditors, which departure or concealment has been proved to my satisfaction: I have directed al the Estate real and personal of the said Robert Martin, with in the said County to be seized and attached, and that unless he the said Robert Martin shall return and discharge his said debts within three Months after publication hereof, all his Estate, real and personal, will be sold for the payment and satisfaction of his Creditors.

Dated at Chatham, in the said County of Northumberland, this fifteenth day of November, in the year of our Lord One thousand eight hundred and twenty-seven.

ALEX. DAVIDSON, J. C. P.
PETERS & CARMAN, Atty's.

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

NOTICE is hereby given that upon application of James M. Kelly, of Moncton, 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 Moncton, 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 others 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 twenty-seven.

JOHN KEILLOR, J. C. P.
EDWARD B. CHANDLER, Atty.

By the Honorable John Saunders, Esquire, Justice of His Majesty's Supreme Court of Judicature, for the Province of New-Brunswick.

NOTICE is hereby given, that upon the application of John Menzies of Northesk, in the County of Northumberland, Lumberer, to me duly made, pursuant to the directions of the Act of the General Assembly in such cases made and provided; I have directed all the Estate as well real as personal of John Gillan, late of the Parish of Northesk, in the said County, Lumberer, (which said John Gillan hath either departed from and without the limits of the Province, or is concealed within the same with intent and design to defraud the said John Menzies and other the Creditors of the said John Gillan, 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 Gillan 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 Gillan, within this Province, will be sold for the satisfaction of the Creditors of the said John Gillan.

Dated at Fredericton the Twelfth day of December in the year of our Lord one thousand eight hundred and twenty-seven.

JOHN SAUNDERS, C. J.
I. A. STREET,
Attorney for Petitioning Creditors.

FREDERICTON, (N. B.)

TUESDAY, FEBRUARY 5, 1828.

Alms House and Work House.

COMMISSIONER FOR THE WEEK,
FREDERICK P. ROBINSON, Esq.

SAVINGS BANK.

TRUSTEES NEXT WEEK,
HENRY G. CLOPPER, ESQ.
JAMES TAYLOR, ESQ.
HENRY SMITH, ESQ.

Head-Quarters, Fredericton,
30th January, 1828.

MILITIA GENERAL ORDERS.

At a General Court Martial held at St. John on the 30th October, 1827, and continued by adjournments to the 10th of November, 1827. Major Robert Scott, Commanding 1st Battalion Westmoreland Militia, was arraigned upon the undermentioned Charges, viz:

- First, "FOR Disobedience of Orders and neglect of duty, in refusing or neglecting to call out and assemble his Corps for General Muster and Inspection by Divisions, on the 23d and 25th days of June last, as required by the General Order of the 7th of May last.
- Second, "FOR contemptuous and improper Conduct as a Commanding Officer of a Battalion, in neglecting to give the necessary directions for calling out his Battalion by Companies, for the purpose of Disciplining and improving them in Martial Exercises, at some time in this year before the days appointed for the General Muster and Inspection of the Corps, as required by the General Order of the 30th January last."

Upon which Charges the Court came to the following decision:—

The Court having maturely weighed and considered all that has been adduced in support of the Prosecution, and there being no

Defence, are of opinion that the said Major Robert Scott is Guilty of both the Charges preferred against him, in breach of the Militia Law, and his duty as an Officer commanding a Battalion in the Militia; and they do therefore adjudge him the said Major Robert Scott to be Cashiered.

The Court having thus performed their duty pursuant to the orders of the Commander-in-Chief, in conformity to the Militia Law of this Province, which fixes the punishment and deprives them of all discretionary power, feel themselves called on, to express their unanimous opinion that the conduct of Major Scott, both while before this Court, and afterwards in leaving it as he did, has been highly improper, contemptuous, irregular, and unofficerlike—and is greatly in aggravation of the Charges preferred and proved against him.

His Excellency the Lieutenant-Governor and Commander-in-Chief has been pleased to approve and confirm the finding and sentence of the Court.

His Excellency directs that the foregoing Charges preferred against Major Robert Scott, together with the finding and sentence of the Court, and His Excellency's approval thereof, shall be entered in the General Order Book of every Battalion in the Province, and read at the head of each Battalion and Detachment at their next General Inspection.

By Command of His Excellency,
The Commander in Chief.
GEORGE SHORE,
Adjutant General.

At the same Court Martial was arraigned Captain Lewis Burns, of the First Battalion of the Regiment of Saint John City Militia, upon the undermentioned Charges, viz:

- First, "FOR contemptuous and improper Conduct, as an Officer, in refusing to receive the Muster Roll of No. 1. Battalion Company on the 1st of September instant, when handed to him by the Adjutant of the Battalion by order of the Major Commanding. He the said Lewis Burns having been duly attached to the Command of the said Company by a previous Order for that purpose duly issued.
- Second, "FOR neglect of duty, as an Officer, in not taking charge and command of the said Company when duly appointed thereto, and not performing the Duties belonging to that Office, as required by the Laws for the organization and regulation of the Militia.
- Third, "FOR Disobedience of Orders as an Officer, in not ordering or calling out the said Company for Drill and Inspection, in the present year, at the several days and times for that purpose duly named and appointed, under and by virtue of the said Militia Laws."

Upon which Charges the Court came to the following decision:—

The Court having maturely weighed and considered all that has been adduced in support of the Prosecution, as well as what has been brought forward on the Defence, are of opinion that the Prisoner Captain Lewis Burns, is guilty of the First Charge preferred against him. And the Court do further find that the said Prisoner Captain Lewis Burns, is also guilty of the Second Charge preferred against him. And the Court do further find that the said Prisoner Captain Lewis Burns, is also guilty of the Third Charge preferred against him, in breach of the Militia Law, and of his duty as a Militia Officer; and they do therefore adjudge

him the said Captain Lewis Burns to be Cashiered.

The Court having performed their duty of awarding punishment in strict conformity to the Militia Law, which deprives them of all discretionary power, beg leave to observe, that although the conduct of Captain Burns, on the first day before the Court, was highly contemptuous, irregular and improper, yet since that period his conduct has been regular and correct, and the Court being of opinion that his fault has arisen more from error in judgment than from premeditated intent to disobey orders, beg leave to recommend him to the favourable consideration of His Excellency.

His Excellency the Lieutenant-Governor and Commander-in-Chief has been pleased to approve and confirm the finding and sentence of the Court.

His Excellency the Lieutenant Governor and Commander-in-Chief did not fail to take under his consideration, the recommendation which the Court made of Captain Burns, through their President, to His Excellency's favorable consideration.

Captain Burns having availed himself of the adjourned opportunity afforded to him, of defending himself against the Charges which have been preferred against him, the Commander-in-Chief, in confirming the finding and sentence of the Court might not have felt disposed to make any observation on Captain Burns' conduct at the opening of the proceedings; but brought before His Excellency as an object of mercy, His Excellency is forced to revert to the highly contemptuous, irregular and improper manner in which Captain Burns then conducted himself, as reasons which preclude the exercise of any merciful consideration.

It cannot be imagined that Captain Burns was ignorant of the Rules and Customs of Military Service, or under any misconception as to its form and usages—He is understood to have been trained in the ranks of the British Army, in a station in which he should have learnt, above all things, what is due to the dignity of a Tribunal such as that which he treated so contemptuously.

His Excellency therefore directs that the foregoing Charges preferred against Captain Lewis Burns together with the finding and sentence of the Court, and His Excellency's approval thereof, shall be entered in the General Order Book of every Battalion in the Province, and read at the head of each Battalion and Detachment at their next General Inspection.

By Command of His Excellency,
The Commander in Chief.
GEO. SHORE,
Adjutant General.

We still continue to hear very favorable reports from Government House;—His Excellency's arm is gaining strength; and Lady Douglas, we are informed, improves daily.

On looking over our Colonial and Provincial files previous to the arrival of the last mail, we thought we could not do better, as respected news, than by quoting the arrangement under this head, from the Halifax Journal of the 21st ult.—dated Boston Jan. 12, which we believe will be found rather interesting; and perhaps somewhat important as relates to the late Elections in France; and the reappearance of the Insurrections, and the unsettled and gloomy aspect of affairs in Spain.

We are obliged to "a British Subject," whose communication appeared in our last Gazette, for directing our attention to the manner in which the Editor of the Bangos