

Survey, or made improvements upon the Land, the purchaser will be required to pay therefor in addition to the purchase money, and at the same time.

GLOUCESTER.

- 100 acres, lot 64, Shipagan Island.
- 46 acres, lot 5, Pokmouch River, East side of South Branch.
- 100 acres on Caraqueet South Branch, 1 mile above head of tide.
- 50 acres, lot 0, Little River, Shipagan Island.

NORTHUMBERLAND.

- 50 acres, lot 42, South side Renous River, application of Keeffe.

KENT.

- 100 acres, lot 35, West Branch Nicholas River, application of James Keagher.

- 100 acres, lot 48, West Branch Nicholas River, application of A. Lennox.

WESTMORLAND.

- 100 acres, lot 12, Square Lake, application of L. Brien.

SAINT JOHN.

- 100 acres, lot 24, Brown's Road, Saint Martin's Parish, application of Thomas Ellis.

KING'S.

- 160 acres, between Trout Creek and Shepody Road, application of James M'Ewen.

YORK.

- 100 acres, on Four Mile Brook, Dumfries, next David Dow's Grant.

CARLETON.

- 100 acres, lot 13, 7th tier, South Richmond.

JOHN S. SAUNDERS,
Surveyor General.

MILITIA GENERAL ORDER.

FREDERICTON, July 30, 1842.

HIS Excellency the Commander in Chief, has been pleased to make the following Promotions, &c.

2d Battalion Charlotte County Militia.

Lieutenant David Turner to be Captain, vice Malcolm M'Farlane, who is permitted to retire from the service with the rank of Major, from long service.

TO BE LIEUTENANTS.

Ensign W. W. Hawkins, vice C. Hawkins, allowed to retire, dated 30th July, 1842.

Ensign John Mann, vice Abraham Wetmore, dated 31st July.

Ensign Peter Clinch, vice Josiah Wetmore, removed from the Province, dated 1st August.

Ensign Thomas Davies, vice Daniel Gillmor, superceded for absenting himself from General Inspection, dated 2d August.

Ensign Robert Atchison, vice David Turner, promoted, dated 3d August.

Ensign Alexander M'Kay, vice Justus Wetmore, superceded for absenting himself from General Inspection, dated 4th August.

Ensign and Adjutant Richard M'Gee, to have the rank of Lieutenant, dated 5th August.

TO BE ENSIGNS.

Charles Carron, dated 30th July.

John Boyd, dated 31st July.

Hugh M'Leod, dated 1st August.

Henry G. Seeley, dated 2d August.

William Mahood, dated 3d August.

John Craig, dated 4th August.

1st Battalion King's County.

TO BE LIEUTENANTS.

2d Lieutenant William B. M'Keel, vice Harrington, resigned, dated 30th July, 1842.

Ensign Robert Crawford, vice J. D. Williams, to retire with his rank, owing to lameness, dated 31st July.

TO BE ENSIGNS.

Thomas Wallis, Gent., dated 30th July.

Joseph Cronk, Gent., dated 31st July.

By Command.

GEORGE SHORE, A. G. M.

ORDERS IN CHANCERY.

AUGUST 2, 1842.

HIS Excellency the Chancellor, by and with the advice and consent of His Honor the Master of the Rolls, doth hereby order and direct—

1. That no writ of execution nor any writ of attachment shall hereafter be necessary for the purpose of requiring or compelling obedience to any order or decree of this Court, by subsequent process of contempt, but that the party required by any such order to do any act, shall upon being duly served with such order, be held bound to do such act in obedience to the order.

2. That if any party who is by an order or decree ordered to pay money, or do any other act in a limited time, shall after service of such order refuse or neglect to obey the same according to the exigency thereof, the party duly prosecuting such order shall at the expiration of the time limited for the performance thereof, be entitled to an order for a Sergeant at Arms, and such other process as he hath hitherto been entitled to upon a return non est inventus to a writ of attachment issued for non performance of a decree or order.

3. That every order or decree requiring any party to do an act thereby ordered, shall state the time after service of the decree or order within which the act is to be done; and that upon the copy of the order which shall be served upon the party required to obey

the same, there shall be endorsed a memorandum in the words or to the effect following, viz: "If you the within named A. B., neglect to perform this order by the time therein specified, you will be liable to be arrested under the authority of the Court of Chancery, and also be liable to have your estate sequestered for the purpose of compelling you to obey the same order."

4. That upon due service of a decree or order for delivery of possession, and upon proof made of a demand and refusal to obey such order, the party prosecuting the same shall be entitled to an order for a writ of assistance.

5. That every person not being a party in any cause who has obtained an order, or in whose favour an order shall have been made, shall be entitled to enforce obedience to such order by the same process as if he were a party to the cause; and every person not being a party in any cause against whom obedience to any order of the Court may be enforced, shall be liable to the same process for enforcing obedience to such order as if he were a party to the cause.

6. That no special interrogatories be inserted in any Bill, but in case any Defendant appears to the Bill the Plaintiff shall thereupon be at liberty without order to file such interrogatories as might have been contained in such Bill provided this order had not been made, subject to the regulations hereafter prescribed, and such interrogatories when so filed shall be deemed and taken to be part and parcel of the said Bill.

7. That a Defendant shall not be bound to answer any statement or charge in the Bill, unless specially and particularly interrogated thereto, and a Defendant shall not be bound to answer any interrogatory in the Bill, except those interrogatories which such Defendant is required to answer; and where a Defendant shall answer any statement or charge in the Bill to which he is not interrogated only by stating his ignorance of the matter so stated or charged, such answer shall be deemed impertinent.

8. That the interrogatories so to be filed under the 6th order shall be duly entitled in the cause and shall be in the form or to the effect following, viz: "Interrogatories to be answered by the several Defendants hereinafter specified," [or by the Defendant in case there be but one Defendant] "touching the matters alleged and contained in the Bill filed in this cause in which A. B., &c., are Complainants, and C. D., &c., Defendants:—1st Whether, &c."

9. That the interrogatories so to be filed shall be divided as conveniently as may be from each other and numbered consecutively, 1, 2, 3, &c., and the interrogatories which each Defendant is required to answer shall be specified in a note at the foot of the interrogatories, in the form or to the effect following, that is to say: "The Defendant (A. B.) is required to answer the interrogatories numbered respectively, 1, 2, 3, &c.," and with the copy of the Bill to be served on any Defendant or his Solicitor, upon appearing to the Bill, shall be served a copy of such of the interrogatories only as such Defendant is required to answer, together with a copy of such note, unless such Defendant shall at the time of giving notice of appearance require to be furnished with a copy of all the interrogatories, in which case a copy of the whole shall be furnished.

10. That the note at the foot of the interrogatories specifying which of them each Defendant is required to answer, shall be considered and treated as a part of the Bill, and the addition of any such note or any alteration or addition to such note or to the interrogatories after the same shall have been filed, shall be considered and treated as an amendment of the Bill.

11. That instead of the words of the Bill now in use preceding the interrogating part thereof, and beginning with the words "To the end therefore," there shall hereafter be used words in the form or to the effect following, "To the end therefore that the said Defendants may if they can, shew why your Orator should not have the relief hereby prayed, and in case of appearing to this your Orator's Bill, may upon their several and respective corporal Oaths and according to the best and utmost of their several and respective knowledge, remembrance, information and belief, full, true, direct and perfect answer make to such of the several interrogatories hereafter to be filed, as by a note thereunder written, they shall be respectively required to answer"—And that the prayer of the Bill shall immediately follow.

12. That in all cases in which the Plaintiff has a joint and several demand against several persons, either as Principals or Sureties, it shall not be necessary to bring before the Court as parties to a Suit concerning such demand all the persons liable thereto, but the Plaintiff may proceed against one or more of the persons severally liable.

13. That where a demurrer shall be filed by the Defendant to the whole Bill or to a part of the Bill, the demurrer shall be held sufficient, and the Plaintiff be held to have submitted thereto, unless the Plaintiff shall within one calendar month after service of a copy of such demurrer upon him, cause the same to be set down for argument.

14. That when the Defendant shall file a plea to the whole or part of a Bill, the plea shall be held good to the same extent and for the same purposes as a plea allowed upon argument, unless the Plaintiff shall within one calendar month after the service of a copy of such plea upon him, cause the same to be set down for argument, and the Plaintiff shall be held to have submitted thereto.

15. That no demurrer or plea shall be held bad and overruled on argument, only because such demurrer or plea shall not cover so much of the Bill as it might by law have extended to.