

sequent day and hour, for the same, as occasion shall require; giving the like notice as aforesaid.

II. *And be it further enacted*, That at the time appointed for taking such Petition into consideration, and previous to reading the order of the day for that purpose, the Sergeant at Arms shall be directed to go and require the immediate attendance of the Members on the business of the House, and that after his return, the House shall be present, and if there be less than twenty members present, the order for taking such Petition into consideration shall be immediately adjourned to a particular hour, on the next day to which the House shall proceed; and on the said next day the House shall proceed in the same manner, and so from day to day 'till there be an attendance of twenty members at the reading of the Order of the Day to take such Petition into consideration.

III. *And be it further enacted*, That if after summoning the members and opening the House as aforesaid, twenty members shall be found to be present, the Petitioners by themselves, their Counsel or Agents, and the Counsel or Agents of the sitting members, shall be ordered to attend at the bar; and then the door of the House shall be locked, and no member shall be suffered to enter into or depart from the House, until the Petitioners, their Counsel or Agents and the Counsel or Agents of the sitting members shall be directed to withdraw. And when the door shall be read, and the names of the order of the day shall be read, and the names of the members of the House written or printed on distinct pieces of parchment, or paper, being all as near as may be of equal size, and rolled up in the same manner, shall be put in equal numbers into two boxes or glasses, and shall be placed on the table for that purpose, and shall be there shaken together; and then the Clerk or Clerk Assistant attending the House shall publicly draw out of the said two boxes or glasses alternately the said pieces of parchment or paper, and deliver the same to the Speaker, to be by him read to the House, and so shall continue to do until eleven names of the members then present be drawn.

IV. *Provided always*, And be it further enacted, That if the name of any Member who shall have given his vote at the Election so complained of as aforesaid, or who shall be a Petitioner complaining of an undue Election, or against whose return a Petition shall be then depending, shall be drawn, his name shall be set aside, with the names of those who are absent from the House.

Provided always, That if the name of any member who has served on an Election Committee during the same Session be drawn, he shall if he require it be excused from serving, unless the House should adjudge it necessary for him to serve; and the House may also excuse any other member or members from serving, if it should be made manifest that such service would be attended with great detriment to such member or members; and in case of members so set aside and excused, the names of other members shall be drawn, who may in like manner be set aside or excused, and others drawn to supply their places until the whole number of eleven members, not liable to be so set aside or excused, shall be complete, and the Petitioners or their Agents shall then name one, and the sitting members or their agents another, from among the members then present, whose names shall not have been drawn, to be added to those who shall have been so chosen by lot.

V. *Provided always, and be it further enacted*, That if at the time of drawing by lot the names of the members, the number of eleven members not set aside, nor excused, cannot be completed, the House shall proceed in the same manner as herein before directed in case of less than twenty members being present at the counting of the House, and so from day to day, as often as the case shall happen.

And Provided also, That either of the Members nominated as above shall or may be set aside for any of the same causes as those chosen by lot; or if he requires it, may be excused; and the party who so nominated the member set aside or excused, shall nominate another in his stead, and so continue to do as often as the case shall happen, until his nominee is admitted.

VI. *And be it further enacted*, That as soon as the said eleven members shall have been so chosen by lot, and nominees appointed; the door of the House shall be opened and the House may proceed upon any other business; and the list of the eleven members so drawn by lot shall be reduced to five by the parties striking off alternately, and the reduced list, with the names of the nominees added thereto shall be delivered in to the House; and the said five members together with the two nominees shall be sworn at the table, "well and truly to try the matters of the Petition referred to them, and to give true judgment to give according to the evidence, and shall be a Select Committee to try and determine the merits of the said Return or Election; and shall meet at a certain time and place to be fixed by the House for that purpose.

VII. *Provided always, and be it further enacted*, That if, upon the drawing out the name of any member by lot as aforesaid, the said Petitioner or sitting member or their agents shall declare that such member is intended to be one of the two nominees to be nominated by them respectively, and if such member shall consent to such nomination, the name of such member so drawn by lot shall be set aside, and unless objected to as aforesaid he shall serve as such nominee, and the name of another member shall be drawn to supply his place, to complete the number of eleven members to be drawn by lot. And if the said petitioners or sitting member or their agents shall not respectively nominate a member then present who shall be admitted according to the directions of this Act, then the want of such nomination shall be supplied by drawing out instead thereof the name of one or two members as the case shall require; who shall be drawn by lot in the like manner, and subject to the like objections and excuses as the other members already drawn by lot, and shall be added thereto, and shall be liable to be struck off in the same manner, leaving always the number of seven members in the whole, and no more, as a select committee for the purposes aforesaid.

VIII. *And be it further enacted*, That the said select Committee shall on their meeting elect a Chairman from among such of the members thereof as shall have been chosen by lot; and if in the election of a chairman there be an equal number of voices, the member whose name was first drawn in the House shall have a casting voice; so, likewise, in case there should ever be occasion for electing a new Chairman on the death or necessary absence of the Chairman first elected; and no member of the Select Committee shall be allowed to absent himself from the same without leave of the House, or excuse allowed by the House, or special cause shewn and verified upon oath; and the committee shall not sit until all members to whom such leave has been granted or excuse allowed are met; and in case they shall not all meet within one hour after the time to which the said select Committee shall have been adjourned, a further adjournment shall be made in the manner as before directed, and reported with the cause thereof to the House.

IX. *And be it further enacted*, That the Chairman of the said Select Committee shall at the next meeting of the House always report the name of every member thereof who shall have been absent therefrom without such leave or excuse as aforesaid, and such member shall be directed to attend the House at the next sitting thereof, and shall then be ordered to be taken into the custody of the Sergeant at Arms for such neglect of his duty, and otherwise punished or censured at the discretion of the House, unless it shall appear to the House by facts specifi-

return, according as the case may be, or to and not appear to them to be vexatious or corrupt.

XIX. And be it further enacted, That whenever any such Committee shall report to the House with respect to any such petition, that the same appeared to them to be frivolous or vexatious, the party or parties, if any, who shall have appeared before the committee in opposition to such petition, shall be entitled to recover from the person or persons, or any of them, who shall have signed such petition, the full costs and expenses which such party or parties shall have incurred in opposing the same; such costs and expenses to be ascertained in the manner herein-after directed.

XX. And be it further enacted, That whenever any such Committee shall report to the House with respect to the opposition made to such petition by any party or parties who shall have appeared before them, that such opposition appeared to them to be frivolous or vexatious, the person or persons, who shall have signed such petition, shall be entitled to recover from such party or parties, or any of them with respect to whom such report shall be made, the full costs and expenses which such petitioner or petitioners shall have respectively incurred in prosecuting their said petition, such costs and expenses to be ascertained in the manner hereinafter directed.

XXI. And be it further enacted, That in the several cases herein-before mentioned the costs and expenses of prosecuting or opposing any such petition shall be ascertained in manner following, that is to say:—That on application made to the Speaker, he shall examine and tax the same, calling to his assistance, if he should so think fit, the Clerk or Clerk Assistant of the House of Assembly; the clerk of the Supreme Court and Masters in Chancery; or any one or more of such officers; and after such costs and expenses are allowed and taxed, the Speaker shall, on application, deliver to the party or parties a certificate signed by himself expressing the amount of the costs and expenses allowed and taxed: And it shall and may be lawful for the party or parties entitled to such costs and expenses, or for his or their executors or administrators, to demand the whole amount thereof so certified as above from any one or more of the persons so respectively, who are hereinbefore made liable for the payment thereof in the several cases hereinbefore mentioned, and in case of non-payment thereof to recover the same by action of debt in any of His Majesty's Courts of Record having jurisdiction in the premises: In which action it shall be sufficient for the plaintiff or plaintiffs to declare that the defendant or defendants is or are indebted to him or them (in the sum to which the costs and expenses ascertained in manner aforesaid shall amount) by virtue of this Act; and the Speaker's certificate under his signature of the amount of such costs and expenses, together with an examined copy of the Entries in the Journals of the Assembly of the resolution or resolutions of the said select committee, shall be deemed full and sufficient evidence in support of such action of debt; in which action the party or parties in whose favour judgment shall be given, shall recover his or their costs.

XXII. And be it further enacted, That in every case where the amount of such costs and expenses shall have been so recovered from any person or persons, it shall and may be lawful for such person or persons to recover in like manner from the other persons or any of them, if such there be who shall be liable for the payment of the said costs and expenses, a proportionable share thereof according to the number of persons so liable.

XXIII. And be it further enacted, That if the petitioner or petitioners who shall have entered into the aforementioned recognizance, shall in any manner fail in the performance of the conditions of the same, such person or persons shall be held to have made default in such recognizance; and the Speaker shall thereupon certify such recognizance to the Supreme Court, and shall also certify that such person or persons have made default therein, and such certificate shall be conclusive evidence of such default, and the recognizance being so certified shall have the same effect as if the same were extracted from a court of law; *Provided always,* that such recognizance so certified shall be delivered by the Clerk or Clerk Assistant of the House of Assembly into the hands of the Chief Justice of one of the Judges of the said Supreme Court, or of such officer of the said court as shall be appointed by the said court to receive the same.

XXIV. And be it further enacted, That whenever it shall happen that the General Assembly shall be prorogued while any select committee shall be sitting, and before they have reported their determination to the House, such committee shall not be dissolved by such prorogation, but shall be thereby adjourned to twelve of the clock of the day immediately following that on which the Assembly shall again meet for the despatch of business (Sundays, Good Friday and Christmas day always excepted) and all former proceedings of the said Committee shall remain and continue to be of the same force and effect as if the Assembly had not been so prorogued.

XXV. And be it further enacted, That in case there are more than one petition complaining of undue election or return to be taken into consideration by the House on the same day, it shall and may be lawful for the House to draw by lot and complete in the manner before mentioned another list to form the committee upon the second petition, according to the rules, directions and regulations of this Act; *Provided,* not less than twenty five members are present.

XXVI. And be it further enacted, That in all cases of controverted elections or returns all the parties complaining of, or defending such elections or returns, shall, by themselves or their agents, deliver to the Clerk of the House lists of the votes intended to be objected to; giving in his said lists the several heads of objections, and distinguishing the same against the name of the voters excepted to: such lists to be delivered in six days at least before the day appointed for the consideration of such petition: and that no evidence shall be adduced before the select committee against the validity of any vote upon any head of objection to such voter other than one of the heads so specified and particularized; and if no evidence shall be produced to substantiate such objection, and if the committee shall be of opinion that such objection was frivolous or vexatious, the said committee shall report the same to the House, together with their opinion on the other matters relating to the said petition, and the party or parties shall be entitled to recover from the party making such objection the costs and expenses incurred by reason of such objection; the same to be ascertained and recovered in the manner before mentioned.

XXVII. And be it further enacted, That all monies which may be recovered and received under and by virtue of any recognizance which may be made forfeited under the directions of this Act, shall be paid into the treasury of the Province, and be applied in such manner as the General Assembly may direct.

XXVIII. And be it further enacted, That the oaths by this Act directed to be taken in the House shall be administered by the Clerk or the Clerk Assistant of the House, who are hereby severally empowered to administer the same.

XXIX. And be it further enacted, That this Act shall not be in force until His Majesty's Royal Assent or probation be thereunto had and declared.

Form of the Recognizance referred to in this Act.
BE IT REMEMBERED, That on the day of —, in the year of our Lord —, before me, A. B. (Speaker of the House of Assembly of the Province of New-Brunswick) or one of His Majesty's Justices of the Peace for the County or City and County of —, came C. D. of,

with the almost hourly threat of being established from fire; and by jumping overboard, at several times, had the good fortune to save the lives of one Lieutenant, two seamen, and one marine.

CONTRACT FOR ARTIFICERS.
Office of Ordnance,
Saint John, N. B. 8th June, 1830. }
SEALED Tenders will be received at this Office, until Monday, the 28th inst. at 12 o'clock, from Persons willing to furnish for one year, commencing the 1st July next, such Artificers of the undermentioned description, as may be required by the Royal Engineer Department at St. John, Fredericton and St. Andrews.
The Tenders for each place to be separate, and to express in sterling the rate of each per day, and for the due performance of such Contracts as may be entered into, sufficient security will be required.
**BLACKSMITHS,
CARPENTERS,
MASON'S,
PAINTERS,
PLUMBERS.**

Contracts for Washing and Repairing
Office of Ordnance,
Saint John, N. B. 7th June, 1830. }
SEALED Tenders will be received at this Office, by the respective Officers of the Ordnance, until Saturday, the 26th inst. from Persons disposed to enter into agreement, for one year, commencing the 1st July next, for Washing and repairing such quantities of the following articles of Barrack Bedding, as may be required at the Post Barrack Fredericton.—The Tenders for Washing and Repairing, to be separate, and to express the rate of Sterling for which each article will be Washed.—Payment to be made Quarterly.
Palliasses - - - - at each, Sig.
Bolsters - - - - " " "
Blankets - - - - " " "
Sheets - - - - " " "
Rugs - - - - " " "
Round Towels - - - - " " "
The usual security will be required for the due performance of such Contracts as may be entered into, and any further information may be known on application at the Barrack Office, Fredericton, any day (Sunday excepted) between the hours of ten and four.

Contract for Sweeping Barrack Chimnies.
Office of Ordnance,
Saint John, N. B. 7th June, 1830. }
SEALED Tenders will be received at this Office by the respective Officers of the Ordnance, until Saturday, the 26th inst. from persons disposed to enter into agreement for one year, commencing the 1st July next, for Sweeping such Barrack Chimnies.—The Tenders to express the rate in Sterling, for which each Chimney will beswept; payment to be made quarterly.
The usual security will be required for the due performance of such contract as may be entered into, and any further information may be known on application at the Barrack Office, Fredericton, any day (Sunday excepted) between the hours of ten and four.

NEW GOODS.
THE Subscriber has just received part of his Spring supply of British Merchandise, comprising an extensive assortment of
Printed, tambooured and plain Muslins, do. Cravats
Ladies' and Gentlemen's Shanny, Silk, Kid, white, black, and coloured Gloves,
Do. do. white, black and coloured Cotton Hose
Ladies black economy and worsted do.
Men's and Children's half
Ladies' Gauze Silk and Fancy Handkerchiefs
Belt and Fancy Ribbons, Cotton Reels
Fancy Summer Cloths, Nankeens, Jeans,
Gallones, Bindings, &c.
Children's Summer Clothing, Cotton Cord
Fancy Vestings, Tapes, Braids, &c.
An extensive assortment of fancy cotton Prints.
White and Grey Cottons, Linens,
Black and Olive Broad Cloth
With a great variety of other articles suitable for the season: all of which will be sold at the lowest prices, and a liberal discount will be made on goods sold by the piece or larger quantity.
ALSO.
An assortment of Patent Paints, put up in canners from 4 to 7lb.
Common Paints, Oil, best Spanish Indigo,
Fig Blue, Polahd Starch, Soap, Putty,
Red and Yellow Ochre, Whiting, Mustard,
Cutlery, Ironmongery, &c. &c.
P. FISHER.
N. B. A further assortment of Fancy Goods daily expected. Fredericton, 15th June, 1830.

NOTICE is hereby given, that we, the Subscribers, have been duly appointed Trustees for all the creditors of Thomas Linton, late of the Parish of Saint George, in the County of Charlotte, 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 Thomas Linton, on or before the 20th day of July next, causing the date hereof, to pay us, or some, or one of us, all such sums of money, or other debts due to or thing, which they owe to the said Thomas Linton, and to deliver the said effects of the said Thomas Linton, 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 Thomas Linton, on or before the same twentieth day of July next, to deliver to us, or some, or one of us as aforesaid, their respective accounts and documents against the said Thomas Linton, 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 Saint Andrews on the 29th day of May, in the year of our Lord 1830.
Thomas Wyer,
William Kerr,
S. H. Whitlock.

NOTICE.
THE Firm of J. & J. D. FRASER & Co. at Miramichi is this day dissolved by mutual consent, and John Fraser and James D. Fraser, are authorised, under special agreement to receive all debts, and bring to business of said Firm to a close.
All persons who therefore govern themselves accordingly.
John Fraser,
James D. Fraser,
Alex. G. Fraser.
Beaubairs Island,
Miramichi, 27 June, 1830.

THE Partnership of TIBBETS & MILLER, Fredericton, is Dissolved by mutual consent. Persons having demands against the said Firm, will be the same for adjustment, and those indebted to the Company will make immediate Payment to the Partners, who will reside at Fredericton.
JAMES TIBBETS,
JOHN MILLER.
Fredericton, June 1, 1830.
N. B. No Notes given after the date of the Dissolution, and by both the Partners, pd.