

THE NEW-BRUNSWICK ROYAL GAZETTE.

[Volume VII.]

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[Number 50.]

The Gazette.

SECRETARY'S OFFICE,
9TH JANUARY, 1822.

PUBLIC NOTICE is hereby given, by order of His Excellency the Lieutenant-Governor, that no Petitions for Licences to cut Pine Timber for the present season, will be received after the first day of March next.

NOTICE is hereby given, that the Subscribers have been duly appointed Trustees, for all the Creditors of *Charles French*, late of the Parish of Norton, County of King's, an absconding Debtor; and do hereby require all persons indebted to the said *Charles French*, on or before the first day of June next, to pay all such sums of money or other debt, duty or thing, which they owe to the said *Charles French*, and to deliver all other effects of the said *Charles French*, which he, she, or they may have, in their hands, power, or custody, to the said Trustees; and the said Trustees do hereby desire all the Creditors of the said *Charles French*, on or before the said first day of June, to deliver to the said Trustees, of any of them, their respective accounts and demands against the said *Charles French*.

Dated at Kingston, the first day of December, in the year of our Lord one thousand eight hundred and twenty-one.

MONMOUTH FOWLER,
CALEB WETMORE,
EDMUND D. SHARLAND.

Hue and Cry!

YORK, 26. To all Constables and other Officers, as well in the said County of York as elsewhere, to whom the execution hereof doth or shall belong.

(L. S.)

WHEREAS by an Inquisition taken before me, *William Taylor*, Esquire, Coroner for the said County of York, this twenty-fourth day of January, in the second year of His Majesty's Reign, one *Peter Pennard*, an Indian of the Mickmack Tribe, stands charged with the wilful murder of one *John M. George*, late of the Parish of Prince William, in the said County: And whereas he the said *Peter Pennard*, did fly and withdraw himself to a place unknown, and is not yet apprehended—These are the reasons that have moved me to raise the power of the Towns or Parishes within your several precincts, and to make diligent search therein for the above named *Peter Pennard*, and to make fresh pursuit and hue and cry after him, from Town to Town and from County to County, as well by Horsemen as by Footmen, and to give due notice thereof in writing, describing in such notice the name of the person and the offence aforesaid, unto every next Constable on every side, until the said *Peter Pennard* shall be apprehended; and that as soon as you, or any of you, shall apprehend of cause the said *Peter Pennard* to be apprehended, that you do forthwith carry him before some one of His Majesty's Justices of the Peace in and for the County where he shall be so apprehended, to be by such Justice examined and dealt with according to Law; and hereof fail not respectively upon the peril that shall ensue thereon.

Given under my hand and seal, at Fredericton, in the said County of York, the twenty-fourth day of January aforesaid, in the year aforesaid.

W. M. TAYLOR, Coroner.

Note.—The description of the person of the said *Peter Pennard*, as I am informed, is as follows:—About 5 feet 9 or 10 inches high, broad shoulders, small waist, Roman nose, a little pock marked, has a scar on the right side of his face, above the mouth, and is about 20 years of age. W. T.

NEW-BRUNSWICK,
In Chancery,
The twenty-second day of October, in the second year of the Reign of King George the Fourth.

Between *Harris Hatch*, Plaintiff,
and
Joseph Randall, Defendant.

FORASMUCH as the Court was this day informed by Mr. *Swymmer*, of Counsel for the Plaintiff, that the Plaintiff on the thirteenth day of August, one thousand eight hundred and twenty-one, filed his Bill in this Court against the Defendant and took out Process of Subpoena, returnable on the second Tuesday in October then next, requiring the said Defendant to appear to and answer the same; but that the said Defendant could not be found so as to be served with such Process, and is gone out of the Province, or doth otherwise abscond to avoid being served therewith, as by affidavit appears: And the said affidavit being read, and the truth of the above allegation being made out to the satisfaction of the said Court,

It is ordered, that the Defendant do appear to the Plaintiff's Bill, on or before the first day of March next.

By the Court,

M. C. HALLÉS, Register.

H. Y. SWYMMER, Solicitor.

NOTICE.

BY order of The Honorable JOHN MURRAY BLISS, Esquire, one of the Justices of the Supreme Court of Judicature for the Province of New-Brunswick: Notice is hereby given to all whom it may concern, that upon application and due proof made to the said Justice, (pursuant to an Act of the Legislature of the said Province, made and provided for relief against absconding Debtors) by *Jeremiah Tracey*, of Burton, in the County of Sunbury, Yeoman, a Creditor of *Thomas Dewitt*, late of the same place, an absconding Debtor, he the said Justice hath directed all the estate real and personal of the said *Thomas Dewitt*, to be seized: And that unless he the said *Thomas Dewitt*, shall discharge his said debt within three months after publication of this Notice, all his estate real and personal will be sold for the payment and satisfaction of his Creditors.

Dated the 20th day of December, 1821.

J. M. BLISS.

GEO. P. BLISS, Atty
for *Jeremiah Tracey*.

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

NOTICE is hereby given, that upon the application of *William Wilbur*, of the Parish of Dorchester, in the County of Westmorland, Yeoman, to me duly made pursuant to the directions of the Act of Assembly in such case made and provided, I have directed all the estate as well real as personal of *David Foster*, late of said Parish, in the County aforesaid, Yeoman, (which said *David Foster* hath departed from this Province, with intent and design to defraud the said *William Wilbur*, and the other Creditors of the said *David Foster*, (if any such there be) of their just dues, or else to avoid being arrested by the ordinary process of the Law, as is alleged against him) to be seized and attached; and that unless the said *David Foster*, do return and discharge his debts, within three months from the publication hereof, all the estate, as well real as personal, of the said *David Foster*, will be sold for the payment and satisfaction of the Creditors of the said *David Foster*.

Dated at Dorchester, the twenty-sixth day of January, in the year of our Lord one thousand eight hundred and twenty-two.

JOHN KEILLOR, J. C. P.

E. B. CHANDLER, Atty
for *William Wilbur*.

NOTICE.

BY order of The Honorable JOHN MURRAY BLISS, Esquire, one of the Justices of the Supreme Court of Judicature for the Province of New-Brunswick: Notice is hereby given to all whom it may concern, that upon application and due proof made to the said Justice, (pursuant to an Act of the Legislature of the said Province, made and provided for relief against absconding Debtors) by *Jeremiah Tracey*, of Burton, in the County of Sunbury, Yeoman, a Creditor of *Abraham Dewitt*, late of the same place, an absconding Debtor, he the said Justice hath directed all the estate real and personal of the said *Abraham Dewitt*, to be seized: And that unless he the said *Abraham Dewitt*, shall discharge his said debt within three months after publication of this Notice, all his estate real and personal will be sold for the payment and satisfaction of his Creditors.

Dated the 20th day of December, 1821.

J. M. BLISS.

GEO. P. BLISS, Atty
for *Jeremiah Tracey*.

SAINT JOHN, JAN. 30.

SOCIETY FOR PROMOTING CHRISTIAN KNOWLEDGE.

At a Meeting of the Saint John's District Committee of the Society for Promoting Christian Knowledge, holden in the Vestry Room of Trinity Church, on Wednesday the 23d inst.—The Hon. WILLIAM BLACK, President, in the Chair, it was gratifying to the Members present to find their numbers rapidly increasing, at the same time they are convinced that the more the objects of this Committee are generally known—connected as it is with, and forming a part of the Venerable Parent Society, which has for so long a time, and is still disseminating Christian Knowledge throughout the world, the more will its Members be increased.

The nature of the recommendation required by the Board for persons becoming Members of the Society is, that "they are well affected to His Majesty King George and his Government—and to the United Church of England and Ireland as by Law established, &c. &c."—on such recommendation being transmitted to the Parent Society by the Secretary of this Committee, their names are placed on the Society's Books with their place of residence, and are printed in the Annual Reports.—The Annual Subscription is one Guinea paid in advance—and the same sum as a donation on the admission of a Member, which are the exclusive property of the Society and transmitted home—without any deduction whatever; in return for which, religious Books are furnished the District Committee, consisting of Bibles, Testaments, Prayer Books, and all the best religious Tracts, computing with the principles of the Church of England, that are published, at a very little more than one half of the Bookseller's price; at which rate Members receive from the local depository for the use of their own families or gratuitous distribution.

Although the funds of the Committee, arising principally from Donations, enable them to bestow a great number of Bibles, Testaments, Prayer Books, &c. to persons who are not able to purchase them, yet they find their means very far short of meeting the increasing demand.

Whereupon it was unanimously resolved, That a Book be opened and left with Mr. BARLOW, the Treasurer, to receive the names of persons willing to join this Committee as Local Members, who on subscribing annually not less than half a guinea in advance, (no donation required) will be entitled to purchase Books at the reduced prices, and possess other privileges as Members of this District Committee.

ROBERT WILLIS, Secretary.

St. John, 25th Jan. 1822.

* Members are respectfully requested to leave their subscriptions as early as possible with Mr. BARLOW.

ON THE IMPRISONMENT OF DEBTORS—BY DR. JOHNSON.

As I was passing lately under one of the gates of this city, I was struck with horror by a rueful cry, which summoned me to remember the poor debtors.

The wisdom and justice of the English laws, are, by Englishmen at least, loudly celebrated, but scarcely the most zealous admirers of our institutions can think that law wise, which, when men are capable of work, obliges them to beg; or just, which exposes the liberty of one to the passions of another.

The prosperity of a people is proportionate to the number of hands and minds usefully employed. To the community, sedition is a fever, corruption is a gangrene, and

idleness is an atrophy. Whatever body, and whatever society wastes more than it acquires, must gradually decay; and every being that continues to be fed, and ceases to labour, takes away something from the public stock.

The confinement, therefore, of any man in the sloth and darkness of a prison, is a loss to the nation, and no gain to the creditor. For of the multitudes who are pining in those cells of misery, a very small part is suspected of any fraudulent act by which they retain what belongs to others. The rest are imprisoned by the wantonness of pride, the malignity of revenge, or the acrimony of disappointed expectation.

If those, who thus rigorously exercise the power which the law has put into their hands, be asked, why they continue to imprison those whom they know to be unable to pay them? one will answer, that his debtor once lived better than himself; another, that his wife looked above her neighbours, and his children went in silk clothes to the dancing-school; and another, that he pretended to be a joker and a wit. Some will reply, that if they were in debt, they should meet with the same treatment; some, that they owe no more than they can pay, and need therefore give no account of their actions. Some will confess their resolution that their debtors shall rot in jail; and some will discover, that they hope by cruelty, to wring the payment from their friends.

The end of all civil regulations is to secure private happiness from private malignity; to keep individuals from the power of one another; but this end is apparently neglected, when a man, irritated with loss, is allowed to be the judge of his own cause, and to assign the punishment of his own pain; when the distinction between guilt and happiness, between casualty and design, is entrusted to eyes blind with interest, to understandings depraved by resentment.

Since poverty is punished among us as a crime, it ought at least to be treated with the same lenity as other crimes: the offender ought not to languish at the will of him whom he has offended, but to be allowed some appeal to the justice of his country. There can be no reason why any debtor should be imprisoned, but that he may be compelled to payment; and a term should therefore be fixed, in which the creditor should exhibit his accusation of concealed property. If such property can be discovered, let it be given to the creditor; if the charge is not offered or cannot be proved, let the prisoner be dismissed.

Those who made the laws have apparently supposed, that every deficiency of payment is the crime of the debtor. But the truth is, that the creditor always shares the act, and often more than shares the guilt, of improper trust. It seldom happens that any man imprisons another but for debts which he suffered to be contracted in hope of advantage to himself, and for bargains in which he proportioned his profit to his own opinion of the hazard; and there is no reason, why one should punish the other for a contract in which both concurred.

Many of the inhabitants of prisons may justly complain of harder treatment. He that once owes more than he can pay, is obliged to bribe his creditor to patience, by increasing his debt. Worse and worse commodities, at a higher and higher price, are forced upon him; he is impoverished by compulsive traffic, and at last overwhelmed, in the common receptacles of misery, by debts, which, without his own consent, were accumulated on his head. To the relief of this distress, no other objection can be made, but that by an easy dissolution of debts fraud will be left without punishment, and imprudence without awe; and that when insolvency should be no longer punishable, credit will cease.

The motive to credit is the hope of ad-