

*By Honor the President*

# THE NEW-BRUNSWICK

# ROYAL GAZETTE.

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## The Gazette.

By His Honor WARD CHIPMAN, Esquire, President and (L.S.) Commander in Chief of the Province of New-Brunswick, &c. &c. &c.

### A Proclamation.

WARD CHIPMAN.

WHEREAS the General Assembly of this Province stands Prorogued to Wednesday, the twenty-fifth day of June next, then to meet for the dispatch of Business: AND WHEREAS for divers weighty and important considerations, it has been deemed expedient further to prorogue the same General Assembly: I do therefore further prorogue the said General Assembly, and the same is hereby prorogued to WEDNESDAY the TENTH day of SEPTEMBER next ensuing; whereof all persons concerned will take due notice and govern themselves accordingly.

Given under my Hand and Seal at Fredericton, the 26th day of May, in the year of our Lord one thousand eight hundred and twenty-three, and in the Fourth year of His Majesty's Reign.  
By The President's Command.  
WM. F. ODELL.

NOTICE is hereby given, that we the Subscribers have been duly appointed Trustees of all the Creditors of William Dougald, late of the City of Saint John in the Province of New-Brunswick Mariner, 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 William Dougald, on or before the tenth day of July 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 William Dougald, and to deliver all other effects of the said William Dougald, 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 William Dougald on or before the same day, to deliver to us, or to some or one of us as aforesaid, their respective accounts and demands against the said William Dougald, 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 the City of Saint John aforesaid this tenth day of April, in the year of our Lord one thousand eight hundred and twenty-three.

DANIEL SCOVIL,  
WM. TYNG PETERS, } Trustees.  
STEPHEN SMITH.

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

To all whom it may concern Greeting: NOTICE is hereby given that upon application of Henry Smith, Esq. to me duly made according to the form of the Act of Assembly in such case made and provided, I have directed all the estate as well real as personal within this Province, of Jesper Underhill, late of the County of Northumberland, (which same Jesper Underhill is departed from and out of the limits of this Province, or else remains concealed within the same, with intent and design to defraud the said Henry Smith, and the other creditors of the said Jesper Underhill, if any there be) of their just dues, or else to avoid being arrested by the ordinary process

of the Law, as it is alleged against him, to be seized and attached; and that unless the said Jesper Underhill do return and discharge the said debt or debts, within three months from the Publication hereof, all the estate as well real as personal of the said Jesper Underhill within this Province, will be sold for the payment and satisfaction of the creditors of the said Jesper Underhill.

Dated at Fredericton, the third day of May, in the year of our Lord one thousand eight hundred and twenty-three.

JOHN SAUNDERS, C. J.  
D. L. ROBINSON, Atty.

NOTICE is hereby given, that we the Subscribers have been duly appointed Trustees for all the creditors of James Turnbull, late of St. Andrews 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 James Turnbull, on or before the 28th day of July next ensuing the date hereof, to pay to us, or some or one of us, all such sums of money or other debt, duty or thing which they owe to the said James Turnbull, and to deliver the said effects of the said James Turnbull, which they or any of them may have in his, her or their hands, power, or custody, to us, or some one of us as aforesaid, and we do also desire all the creditors of the said James Turnbull, on or before the 28th day of September next, to deliver to us, or some or one of us as aforesaid, their respective accounts and document against the said James Turnbull, in order that right and justice may be done agreeable to the form of the said Act of Assembly in such case made and provided.

Given under our hands at Saint Andrews aforesaid, in the County aforesaid, the twenty-sixth day of April, A. D. 1823.

JOSEPH CLARKE, } Trustees.  
ROBERT S. MOWAT.  
WILLIAM GARNETT.

NEW-BRUNSWICK, } MAY 26th, 1823.  
In CHANCERY, }  
Between HENRY SMITH, Administrator of JAMES BELL, deceased, Plaintiff, and THOMAS HUMPHREYS, ROBERT BOSWELL and BETSY his Wife, and others, Defendants.

FORASMUCH as the Court was this day informed by Mr. ROBINSON of Council for the Complainant, that the Complainant's Bill in this cause was filed on the fourteenth day of August last, as by Certificate of his Clerk in Court appears, and Process of Subpœna taken out against the said Defendant ROBERT BOSWELL and BETSY his Wife, but that the said Defendant, ROBERT BOSWELL and BETSY his Wife, now resides without the limits of this Province, or doth otherwise abscond to avoid being served with such Process, as by affidavit appears; and the said Certificate and affidavit being read, and the truth of the above allegation being made out to the satisfaction of the Court: IT IS ORDERED, That the said Defendant ROBERT BOSWELL and BETSY his WIFE, do appear and answer to the Complainant's Bill on or before the first day of September next.

By the Court,  
D. L. ROBINSON, Registrar.

NEW-BRUNSWICK, } MAY 16th 1823.  
In CHANCERY, }  
Between HUGH JOHNSTON, } Complainant,  
HUGH JOHNSTON, Junr. } and,  
And JOSHUA E. FREEMAN, Defendant.

FORASMUCH as the Court was this day informed by Messrs. Charles I. Peters and James Peters, Junr. of Council for the Plaintiffs, that the Bill in this cause was filed on the 27th day of February last, as by the Certificate of their Clerk in Court appears, and process of Subpœna taken out against the said Defendant, but that the said Defendant now resides without the limits of this Province, or do otherwise abscond to avoid being served with such Process as by affidavit appears; and the said certificate and affidavit being read, the truth of the above allegations made out to the satisfaction of the Court: IT IS ORDERED, that the Defendant do appear and answer to the Complainant's Bill on or before the 28th day of August next.

By the Court,  
D. L. ROBINSON Registrar.

Letters from Mr. Commissioner Robinson, on the Canada Trade, and Canada Union Bills, communicated by the Lieutenant-Governor, January 22nd, 1823.

[Continued.]

(B.)

The two Acts recently passed for "regulating the trade between His Majesty's possessions in America and the West Indies, and other parts of the No. 2. World," And "for regulating the trade between His Majesty's possessions in America and the West Indies, and other places in America and the West Indies," place the Commerce of the North American Colonies on the most liberal footing. By the first a direct trade is opened to our shipping with all foreign Countries in Europe or Africa, and it will be found that the list of articles to which the trade is restricted, embraces almost every production which we could desire to import from those Countries, since whatever this Kingdom manufactures could not be procured by us of so good quality or so cheaply elsewhere. Our trade henceforth, with foreign nations is open to us as freely as to our fellow subjects of the United Kingdom, with this advantage over them, that the wines or other merchandize we may import from them, are not subject to the same heavy impositions. What we can find to send in return is another consideration, upon which must depend the extent to which we can avail ourselves of those advantages. An opportunity is given if we can improve it. I learn that by another Act passed this Session, the same privilege of trading to the East Indies which has been given to private traders of the United Kingdom, is with the same extended to the Colonies. The circumstances of the Colonies may for some time render this privilege of little value, but while we are placed on the same footing as other British subjects, we cannot complain.

While these measures were in progress, I had some conversation with the President of the Board of Trade, on the present state of the trade in Canada, with respect to the article of Tea, which is too notorious in both Provinces, and suggested that little injury would arise to the East India Company, and much good to our own Revenue, if we could be allowed to import Tea directly from the East Indies, or through the United States, on payment of a certain duty. It was too late in the Session to propose a measure, which, as it would be in direct violation of the Company's Charter, could not during the existence of it be brought forward without their acquiescence, but it did not appear to me from what was said upon the subject, that an application would be hopeless, if urged in time to admit of its being well considered, and I am inclined to think that it would be liberally entertained by the Government. I mention this that it may be thought of.

It will be seen that by the first Act, different British Statutes are repealed, of which the Policy was to promote the trade of the 51 G. 3. c. 92. Canadas, by allowing the ex- 55 G. 3. c. 29. portation from thence to cer- 57 G. 3. c. 4. tain parts of Europe, of the production of the States brought by land or inland navigation, without requiring certificates of origin, or in other words to make so far as those statutes extended, the outlet for the productions of the Northern States, but it may be seen by the second section of what may be called the present Colonial Europe Trade Bill, that they are only repealed to make way for what would appear a general extension of this policy, for by that section it is lawful to export from the Colonies direct to any foreign Port in Europe

or in Africa, &c. &c. "any article the growth, produce, or manufacture of any such Colony, or any articles which have been legally imported into any such Colony"—And such undoubtedly would be the beneficial effect of the Statute, if it stood alone, but it will be seen that the Act, for "regulating the Trade between the British No. 2. possessions in America and the West Indies, and other places in America and the West Indies," and the Act ch. 119 for regulating the inland Trade between the Provinces of Upper and Lower Canada and the United States of America, have the effect of destroying this policy altogether, in as much as the principle productions of the United States cannot, since those... we imported from the United States, through any channel into the Canadas without being subject to considerable duties. And therefore in this respect the trade of the Canadas is placed on a worse footing in principle at all events; I hope not at present very materially so in practice. To avoid this if possible, I gested to the President of the Board of Trade, the expediency of allowing both Provinces, to continue as they have done, to admit the productions of the United States inland navigation free of duty or otherwise, as they might think most advisable, because, as the duties imposed by the Act No. 2 on the importation of those articles by sea, from the United States into the West Indies and other Colonies, were meant solely and expressly for our protection, and to encourage the agricultural productions of our Provinces which were common with those of the United States, it was not necessary to protect ourselves against ourselves, and we might safely be allowed to judge whether the free admission of American flour, timber, &c. into our Provinces for exportation might not be beneficial to our trade, without being injurious to our agriculture. And I suggested that by allowing such importation we might, by exporting the productions of America with our own, be enabled immediately to supply the West Indies entirely, and might carry on a more extensive trade with other parts of the world. The answer, however, was a very obvious, and I admit a very just one.—The West Indians, it was said, would justly complain if the price of the necessaries of life was raised upon them, to enable us to dispose advantageously not only of our productions, but of those of foreign Countries. And if the productions of the United States, brought by internal Navigation into the Canadas were not made subject to the same duties as when imported into the other British Colonies, the Americans would complain that the relaxation professed to be made in the Navigation Laws for the benefits of a reciprocal commerce would be but partially extended, and would be rendered in a great measure nugatory, by their production being, when carried direct in their own shipping to our West India Islands, made subject to heavy duties, and admitted in the same Islands, free of duty, if introduced by our shipping by a circuitous importation. That would indeed be the direct effect as the West India Bill now stands, for the enumerated articles are subject only to duty when brought from a foreign Country,—and, if the wording were otherwise, evasions would be unavoidable. Besides the other North American Provinces might claim the same privileges for the same reasons—that we should desire it, and if extended to them, it would lead to their supplying the West India markets with American flour, to the exclusion of that produced in Canada. I have been the more explanatory upon this subject, because perhaps it is the most important, and it may be of consequence to call the attention of the Legislature to these matters which are necessarily better understood by most others in Canada, than by myself.

(To be continued.)