

# THE NEW-BRUNSWICK ROYAL GAZETTE.

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## The Gazette.

BY His Excellency Major General Sir HOWARD DOUGLAS, Baronet, (L.S.) Lieutenant-Governor, and Commander-in-Chief of the Province of New Brunswick, &c. &c. &c.  
HOWARD DOUGLAS.

**A PROCLAMATION.**  
IN pursuance of the powers vested in me by an Act of Parliament passed in the Sixth Year of the Reign of His present Majesty, intituled, "An Act to regulate the Trade of the British Possessions abroad," I have thought fit, by and with the advice and consent of His Majesty's Council, to appoint, and I do hereby, by and with the advice aforesaid, appoint the Parish of Saint Stephen in the County of Charlotte, a place of Entry for the entry of Goods brought or imported from any adjoining Foreign Country, pursuant to the provisions of the said Act, of which all persons concerned will take due notice and govern themselves accordingly.

Given under my Hand and Seal at Fredericton, the Fourth day of April, in the year of our Lord one thousand eight hundred and twenty-six, and in the seventh year of His Majesty's Reign.  
By His Excellency's Command,  
WM. F. ODELL.

BY His Excellency Major-General Sir HOWARD DOUGLAS, Baronet, (L.S.) Lieutenant-Governor and Commander-in-Chief of the Province of New Brunswick, &c. &c. &c.  
HOWARD DOUGLAS.

**A PROCLAMATION.**  
IN pursuance of the Powers vested in me by an Act of Parliament passed in the Sixth Year of the Reign of His present Majesty, intituled "An Act to Regulate the Trade of the British Possessions abroad," I have thought fit, by and with the advice and consent of His Majesty's Council, to appoint and empower, by and with the advice and consent aforesaid, appoint the Town of Fredericton and the Parish of Woodstock in the County of York, as Places of Entry for the entry of Goods brought or imported from any adjoining Foreign Country pursuant to the provisions of the said Act:—Of which all persons concerned will take due notice and govern themselves accordingly.

Given under my Hand and Seal at Fredericton, the first day of March in the year of our Lord one thousand eight hundred and twenty-six, and in the Seventh year of His Majesty's Reign.  
By His Excellency's Command,  
WM. F. ODELL.

BY His Excellency Major General Sir HOWARD DOUGLAS, Bart. (L.S.) Lieutenant-Governor and Commander-in-Chief of the Province of New-Brunswick, &c. &c. &c.  
HOWARD DOUGLAS.

**WHEREAS** by an ordinance establishing fees to be taken in the Province of New-Brunswick, made and passed by His Excellency THOMAS FARELTON, Esquire, Governor of this Province, in Council, the second day of March one thousand seven hundred and eighty-five, here are allowed and established among other fees the following, that is to say:

For Attornies in the Supreme Court, Travelling charges per day 10s.

For Counsel in the Supreme Court, travelling charges the same as Attornies, and no more than one Counsel to be allowed in taxing Costs.

And whereas in the present circumstances of the Country, it is expedient and proper that the said fees for travelling charges to Attornies and Counsel in the Supreme Court should be abolished, I do therefore, by and with the advice and consent of His Majesty's Council, ordain and declare that the said fees for travelling charges herein before specified, be and the same are hereby abolished.

And I do further by and with the advice and consent aforesaid; ordain and declare that henceforth any Judge of the Supreme Court before whom a cause shall be tried or

after being entered for trial, shall by rule of Court be referred to arbitration, may allow to be taxed in the Bill of Costs in such cause, a Counsel fee at his discretion, in no case to exceed five Guineas.

Given under my Hand and Seal at Fredericton, the sixth day of March in the year of our Lord one thousand eight hundred and twenty-six, and in the seventh year of His Majesty's Reign.  
By His Excellency's Command,  
WM. F. ODELL.

**NOTICE** is hereby given, that we, the Subscribers having been duly appointed Trustees of all the Creditors of Amos White, late of the Parish of Saint 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 such case made and provided: and we do hereby require all persons indebted to the said Amos White on or before the twenty-fourth day of May next 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 things, which they owe to the said Amos White, which they, or either, or any of them may have in his, her, or their hands, power or custody, to us, or some, or one of us aforesaid: and we do desire all the Creditors of the said Amos White 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 Amos White, in order that right and justice may be done pursuant to the form of the Act of Assembly in such case made and provided.

Given under our hands, at Saint Andrews the 24th day of February, in the year of our Lord one thousand eight hundred and twenty-six.

HARRIS HATCH,  
PETER STUBS,  
ALEX STRACHEN, Senr.

**NOTICE** is hereby given, that we the Subscribers have been duly appointed Trustees for all the Creditors of Joseph Kenah late of Fredericton, in the County of York, Esquire (a debtor departed from this Province,) and have been duly sworn to the faithful execution of the said trust, pursuant to the directions of the Acts of Assembly, in that case made and provided: And we do hereby require all persons indebted to the said Joseph Kenah; on or before the twentieth day of June next, 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 Joseph Kenah; and to deliver the other effects to the said Joseph Kenah; 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 Joseph Kenah, on or before the said twentieth day of June next, to deliver to us or some, or one of us aforesaid, their respective Accounts and documents against the said Joseph Kenah, in order that Right and Justice may be done, agreeably to the form of the said Act of Assembly, in such case made and provided.

Given under our hands at Fredericton, in the said County of York, the Fourth day of April, one thousand eight hundred and twenty-six.

George Fred. Street. } Trustees  
George Minchin. }  
H. G. Clopper. }

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

**NOTICE IS HEREBY GIVEN**, that upon the application of Abraham Brown, of the Parish of Fredericton, in the County of York, and Province aforesaid, Tavern Keeper, 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 James Cameron, late of the Parish, County and Province, aforesaid, Merchant, (which said James Cameron hath either departed from and without the limits of the said Province or is concealed within the same, with intent and design to defraud the said Abraham Brown, and other Creditors of the said James Cameron 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 James Cameron 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 James Cameron, within this Province, will be sold for the payment and satisfaction of the Creditors of the said James Cameron.

Dated at Fredericton, this eighth day of April, in the year of our Lord one thousand eight hundred and twenty-six.  
JOHN SAUNDERS, C. J.  
G. F. STREET,  
Att'y for A. Brown,

An Act for appointing Commissioners to inquire into the losses occasioned by the late destructive fires in this Province.

Passed 24th Feb. 1826.  
**WHEREAS**, in the month of October last, divers destructive Fires occurred at Fredericton, on the River Miramichi, on the River Oromocto and other parts of this Province, which destroyed Property to a very large amount, reduced many persons to a state of want and materially impaired the condition and circumstances of many others: And Whereas very extensive and benevolent contributions have been made in the true spirit of Christian Charity in this Province, and the other British Colonies, and also in the United States of America and in the Mother Country, for relieving the sufferings and repairing the losses occasioned by such Fires, and a large amount of the contributions made in the British Colonies and the United States, remains in the hands and under the direction and control of His Excellency the Lieutenant-Governor, to be distributed among the sufferers; and still further and larger sums raised in the Mother Country, will probably be placed in his hand for the same purpose: And Whereas in order to make a just and proper distribution of these extensive Charities, it is necessary that a faithful inquiry should be made into the losses sustained by the persons who may have suffered by the said Fires.

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly.* That The Honourable GEORGE SHORE, The Hon. WARD CHIPMAN, HARRY PETERS, Esq. RICHARD SIMONDS, Esq. and THOMAS HORSEFIELD PETERS, Esq. shall be, and they are hereby constituted Commissioners, for inquiring into the respective losses, actually sustained by all such person or persons, who may have suffered by the said Fires.

II. *And be it further enacted,* That the said Commissioners or any two or more of them, shall with all convenient speed, repair to such parts of the Province, where the said Fires have happened as shall in that behalf be directed and pointed out by the Lieutenant Governor, for the purpose of making such inquiries, and that it shall and may be lawful for the said Commissioners or any two or more of them, and they are hereby authorized, empowered and required to examine upon oath (which oath they or any two or more of them are hereby authorized to administer) all persons whom the said Commissioners or any two or more of them shall think fit, touching all such matters and things as shall be necessary for the execution of the powers vested in the said Commissioners by this Act. And all such persons are hereby directed and required punctually to attend the said Commissioners at such time and place as they or any two or more of them shall appoint.

III. *And be it further enacted,* That as soon as the said examinations into the said losses shall be completed, the said Commissioners shall all meet at Fredericton, and shall make out in writing a full and detailed report of the actual losses ascertained in manner aforesaid, and present the same to His Excellency the Lieutenant-Governor, together with a scheme of distribution of the funds contributed for this purpose and remaining undisposed of; having regard in all cases to the specific intentions of the donors, where any such intentions have been expressed.

IV. *And be it further enacted,* That if it shall appear upon sufficient evidence to the said Commissioners that any person shall have delivered in an account or claim beyond the real loss, with an intent to obtain more than a just compensation, such account or claim shall not be included in the report so to be made to His Excellency the Lieutenant-Governor, and such person shall be absolutely excluded from any compensation or share of the charitable funds before mentioned.

V. *And be it further enacted,* That if any person or persons shall be guilty of false swearing in any examination made by the said Commissioners respectively under and by virtue of this Act such person or persons offending shall upon conviction thereof before the Supreme Court or any Court of Oyer and Terminer or Gaol Delivery, be liable to suffer the pains and penalties by Law imposed for wilful and corrupt perjury.

VI. *And be it further enacted,* That it shall and may be lawful for the Lieutenant-Governor to appoint a suitable person to be Secretary to the said Commissioners, and also in case of a vacancy or vacancies by death or resignation of any one or more of the said Commissioners, to nominate and appoint such person or persons as he may think proper to supply such vacancy or vacancies, and that every person so nominated and appointed shall be held and considered to be invested with all the powers delegated to the Commissioners appointed by this Act.

An Act in further amendment of the Laws in force, for the support and relief of Confined Debtors.

Passed the 7th March, 1826.  
**WHEREAS** in the Acts in force for the support and relief of confined Debtors, no power is given to the Judge or Justice who may take the examination of the confined Debtor, on application for a weekly support, to order such confined Debtor to be brought up before him for the purpose of taking such examination.

I. *Be it enacted by the Lieutenant Governor, Council and Assembly,* That in all cases, in which any Judge or Justice has power by the Laws in force for the support and relief of confined Debtors, to examine such confined Debtor as to the ability of such Debtor to support him or herself, it shall and may be lawful for such Judge or Justice to make an order under his hand and seal, to the Sheriff or Gaoler in whose custody such confined Debtor may be, to bring up such confined Debtor before him for the purpose of such examination; and that such Sheriff or Gaoler shall not be liable to any action of escape, or other suit or information for or on account of his obeying such order according to the true intent and meaning of this Law. And whereas by the Laws now in force, the examination of the confined Debtor, on application for a weekly support must in all cases be made before the Judge or Justice from whom the notice of examination may have issued, which is sometimes inconvenient:

II. *Be it further enacted,* That such examination may be taken either by the Judge or Justice from whom the notice of examination may have issued, or any other Judge or Justice of the same Court.

III. *And whereas* doubts have arisen whether the several Acts of Assembly now in force for the relief and support of confined Debtors, extend to such Debtors as may have the benefit of the Gaol limits: And whereas it is expedient to extend the provision of the said Acts to such Debtors as may be able to obtain security for the Gaol limits, but have no means of supporting themselves within such limits: *Be it therefore enacted and declared,* that the several Acts of Assembly now in force for the relief and support of confined Debtors shall extend and be construed to extend to Debtors who are confined within the limits of any Gaol, and who are utterly unable to provide or procure their necessary support in such confinement, in the same manner as if confined within the walls of any Gaol, any Law, usage or practice to the contrary notwithstanding.

IV. *And be it further enacted,* That in addition to the oath now required to be taken by confined Debtors applying for support; such Debtors before they shall be entitled to support, shall swear that they have not since been served with process, or since they have had notice of the suit being commenced, made over, assigned, transferred or put out of their hands, power, or disposal, any property real or personal whatsoever, except so much as was actually necessary for their support and maintenance.

V. *And be it further enacted,* That in case it shall be made to appear to the satisfaction of any Judge who may order support to be granted to any confined Debtor, or to any other Judge of the same Court or Judge of the Court out of which the process may issue, upon which such Debtor shall be confined, after such support granted, that the said Debtor has means of procuring or providing his necessary support, whether from property possessed at the time, or subsequently obtained, or in some other sufficient way, that then and in either of such cases upon application made to him by the Creditor, his lawful Agent or Attorney; such Judge shall and he is hereby fully authorized and

empowered by an order under his hand and seal, to suspend the payment of such support so granted either for such stated period of time as to him may appear just and proper or until further order is given in that behalf by such Judge or by the Court out of which the process shall have issued; *Provided always,* that in case the Judge shall direct the suspending or withholding support, until further order from the Court is given in that behalf; it shall and may be lawful for such Court at the next, or any future sitting, to hear and determine upon the same, and make such order as to such Court may appear fit and proper: *Provided* that such Court shall not direct the payment of any greater support than by the Laws now in force is authorized: And further provided, that no order shall be made for suspending the payment of support without due notice being given to the confined Debtor, of the application for that purpose being made, in order that such Debtor may attend if he think proper; and any Judge may order and direct the Sheriff or Gaoler to cause such Debtor to be brought before him for that purpose, in the same manner as directed in and by the first section of this Act.

VI. *And be it further enacted,* That in case any person having the liberty of the Gaol limits, may have heretofore received support and relief, or may have been discharged, in consequence of such support not having been duly paid, or after a twelve months confinement under the said Laws for the support and relief of confined Debtors, all Persons whatsoever shall be indemnified, and are hereby freed and discharged against and from all Suits, Actions, Prosecutions, Informations or Judgments whatsoever, that may be had, moved, prosecuted or adjudged against them, or any of them, for or by reason, or on account of such Person who may have had the liberty of the Gaol limits, having received such support and relief or having been discharged as aforesaid.

LONDON, April 21.  
EAST INDIES.

The expectations which were formed of peace with the Burmese have unhappily been frustrated. The armistice has been broken by orders of the King of Ava, and fighting has recommenced.—The Burmese Commissioners, in their last paper, were very explicit as to the terms of the treaty.

"If you sincerely want peace," said they, "and the re-establishment of our former friendship, according to Burman custom, empty your hands of what you have, and then if you ask it, we will be on friendly terms with you, and forward a petition for the release of the English prisoners, and send them down to you. However, after the termination of the armistice between us, if you should show any inclination to renew your demands for money in payment of your expenses, or any territory from us, you are to consider our friendship at an end. This is Burman Custom."

It is stated whenever the terms proposed by the British were laid before the King of Ava, the Golden Monarch, flew into a most violent passion, and gave instant orders for the war being renewed.

It appears by the following letter that a severe and not very decisive engagement has already been fought near Promé:

Extract of a letter dated St. Helena, Feb. 26.  
The Carnbrea Castle has arrived here after an uncommonly quick passage, having left Calcutta on the 1st Jan. She brings intelligence of a severe engagement having taken place, between Sir A Campbell and the Burmese which lasted three days. Our loss has been extremely heavy. Eleven King's officers, killed and wounded, exclusive of those belonging to the Company's service; and though the Burmese retired from the field, it does not appear that our troops had made any advance. The Minerva, East Indiaman, is supposed to wait for the official accounts. General Morrison, commander of the African division, died on board the Carnbrea Castle on the passage to St. Helena.

The other war in which the East India Company are engaged, occupies the attention of the military. Lord Combermere, at the head of the largest British army ever assembled in India, 25,000 strong, it is said, with 100 pieces of artillery, has invaded Ehurpore, and made preparations for an im-