

THE NEW-BRUNSWICK ROYAL GAZETTE.

Volume XIII.]

TUESDAY, 7th MARCH 1826.

[Number 2.]

The Gazette.

Government-House,

Fredericton, 26th January, 1826.
INSTRUCTIONS have been received from His Majesty's Government by which the full wing Uniform is permitted to be worn by the Governors, Lieutenant-Governors, and Superior Civil Officers, of His Majesty's Colonial Possessions. *The Uniform for Colonial Governors.* The same Uniform as that worn by Lord Lieutenants of the English Counties, only the body of the Uniform to be blue, with red Lapels. The Epulettes and Embroidery to be also the same as Lord-Lieutenants of Counties.

Superior Civil Officers.

Blue Coats, but no Epulettes; nor Lapels, Button-Holes upon the Cuff and Collar only, but same Pattern as the Lords Lieutenants.

*The Civil Officers who are permitted to wear the above Uniform, are the Members of the Legislative and Executive Councils, the Chief Justice, and Speaker of the House of Assembly.

By 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.

HOWARD DOUGLAS, & PROCLAMATION.

WHEREAS the Right Honourable Earl Bathurst, one of His Majesty's principal Secretaries of State, has transmitted to me the following order of His Majesty in Council:—viz:

At the Court at Carlton House, 23d March, 1825.

PRESENT.

The King's most Excellent Majesty, IN COUNCIL.

WHEREAS it has been represented to His Majesty at this board, by the Lords Commissioners of His Majesty's Treasury, that they have given directions, that His Majesty's Troops, serving in the several British Colonies and Possessions abroad, should in certain cases be paid in British Silver, and Copper Money, and that with a view of securing the circulation of such Money in those Colonies it would be expedient that an order in Council should be issued, declaring that in all those Colonies where the Spanish Dollar, is now either by Law, Fact, or Practice, considered as a legal tender for the discharge of Debts, or where the duties to the Government are rated or collected, or the Individuals have a right to pay in the description of Coin, that a tender and payment of British Silver Money, to the amount of Four Shillings and Four Pence, should be considered as equivalent to the tender or payment of one Spanish Dollar, and so in proportion for any greater or less amount of Debt.

And Whereas it has been further represented by the Lords Commissioners of His Majesty's Treasury, that with respect to the Cape of Good Hope, where there are not any Spanish Dollars in circulation, consists entirely of paper Rix Dollars and its proportions, and with respect to Ceylon, where the circulation consists of Silver and Paper Rix Dollars, as well as of a variety of other Coins, which are generally received and paid with relation to their value as compared with Rix Dollars, it would be expedient that a tender and payment of one Shilling and six pence in British Silver Money, should be considered as equivalent as a tender and payment of one such Rix Dollar, so current at the Cape of Good Hope, and Ceylon, respectively, and so in proportion, for any greater or less sum, and also, that British Copper Money, should be made a

legal tender in all the British Colonies for its due and proper proportions of British Silver Money, as by Law established in Great Britain, but that no person shall be compelled to take more than 12d. in Copper Money, in any one payment. His Majesty having taken the said representation into consideration, is pleased, by and with the advice of His Privy Council, to approve of what is therein proposed, and the Right Honourable the Lords Commissioners of His Majesty's Treasury, and the Right Honourable Earl Bathurst, one of His Majesty's principal Secretaries of State, are to give the necessary directions, herein as to them may respectively appertain.

(Signed,) C. C. GREVILLE.

I do therefore hereby make known the same to all His Majesty's loving subjects in this Province, and all persons concerned, will take due notice, and govern themselves accordingly.

And I do also hereby further make known that the holders of British Silver Money, may demand from the Officers in charge of the Commissariat Department, Bills upon the Lords Commissioners of His Majesty's Treasury at thirty days sight, in Exchange for whatever sums may be ordered by them in British Silver, not less amount than one hundred Pounds at the fixed rate of a Bill for one hundred Pounds, for every one hundred and three Pounds of British Silver Money, so tendered.

Given under my hand and Seal at Fredericton, the Twenty second day of October, in the year of our Lord, One Thousand Eight hundred and Twenty five, and in the Sixth year of His Majesty's reign.
By His Excellency's Command,
Wm. F. ODELL.

(By Authority.)

WHEREAS in pursuance of the Provisions of two Acts of Parliament passed in the sixth year of the reign of His present Majesty, cap. 73 and cap. 114. The Collector and Controller of His Majesty's Customs at the Port of Saint John, have appointed a Warehouse belonging to Mr. Nathaniel Merritt, situate in Saint John Street, in the City of Saint John in this Province, for the purpose of the said Acts, and have declared that the Goods in the same Acts enumerated may be there Warehoused on the first entry without Payment of duty, from and after the fifth day of January next. PUBLIC NOTICE thereof is hereby given by Order of His Excellency the Lieutenant-Governor for the Information of all concerned.

Dated the Twenty ninth day of December 1825.

BY AUTHORITY

NOTICE.—Those persons who are in possession of UNGRANTED LANDS without legal authority, and who may think they have equitable claims to the favorable consideration of the Government, are hereby notified that unless such claims are preferred, by petition, before the 1st day of May next, they will be proceeded against as INTRUDERS and TRESPASSERS upon the Crown Lands.

By Order of His Excellency the Lieut. Gov. Crown Lands Office, Fredericton, 26th May, 1825.

By the Honourable JOHN MURRAY BLISS, Esquire, one of the Justices 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 the application of James Fraser, of the City of Saint John, Merchant, to me duly made according to the form of the Acts of Assembly in such case made and provided, I have directed all the estate as well real as personal within this Province, of Joseph Kenah, late of Fredericton, in the County of York, in the said Province, Esquire, (which same Joseph Kenah departed from without the

limits of the Province upwards of eight months ago, and has not resided within the same for any time during the last six months, and is indebted to the said James Fraser, in one thousand eight hundred Pounds and upwards, (over and above all Discounts) to be seized and attached; and that unless the said Joseph Kenah, do return and discharge his said debt and all other his just dues within six months from the publication hereof, all the estate as well real as personal of the said Joseph Kenah, within this Province, will be sold for the payment and satisfaction of the Creditors of the said Joseph Kenah.

Dated at the City of Saint John, this twenty-second day of September, one thousand eight hundred and twenty-four

J. M. BLISS.

G. PARKER, Attorney.

NOTICE.

By order of the Honourable John Murray Bliss, 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 (relating against absconding debtors) by William Roberts, of Fredericton, in the County of York, Merchant, a Creditor of Simeon B. Agnew, late of St. Mary's in the County of York, an absconding debtor.—He the said Justice hath directed all the Estate real and personal of the said Simeon B. Agnew to be seized. And that unless he the said Simeon B. Agnew 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.

J. M. BLISS.

Dated the sixth day of February, 1826.
G. P. BLISS, Att'y. for WM. ROBERTS.
NEW-BRUNSWICK,

In Chancery, 9th Jan. 1826.
Nathaniel H. De Veber, Complainant,
and
William B. Lowinsbury, Defendant

FORASMUCH as the Court was this day informed by Mr. Peris, of Counsel for the Complainant, that the Bill in this cause was filed on the twenty-fifth day of September last as by the Certificate of his Clerk in Court appears and process Subpoena taken out against the above named Defendant, but that the said Defendant had departed from the Province in the month of August or beginning of September in the year of our Lord one thousand eight hundred and twenty-four, and has not resided within this Province for the term of twelve months next preceding the commencement of this Suit, 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 this Court, it is ordered that the said Defendant do appear and answer to the said Complainant's Bill on or before the second Tuesday in May next.

By the Court
D. JUDLOW ROBINSON, Regr

Extract from the Journal of the House of Assembly.

Saturday, 25th Feb.

On Motion of Mr. Parker.—Resolved, that this House is deeply sensible of the avow of His Majesty's Government in establishing a College in this Province; the honors and advantages of which, so far as can consistently be done, may be attainable without subscription to the Articles of the Church or any other religious tests, this House being satisfied that any such restrictions would not have tended to advance the cause of Religion or the Church; but would have hindered the institution from ever attaining to any eminence or general usefulness; if they did not entirely prevent its first establishment upon any permanent basis; And this House is also deeply grateful for the liberality shewn by His Majesty's Government in the donation of large Sums for the erection of a building, and in the promise of further donations for the endowment of the College.

Resolved that this House also, entertains a deep and grateful sense of the paternal care and unremitting exertions of His Excellency the Lieutenant-Governor, so strongly evinced in the measures taken by him for obtaining the consent and approval of His Majesty's Government, to the founding a University on such liberal principles and endowments as cannot fail to be of great, general, and lasting benefit to this Province.

Resolved that this House is of opinion, that it is highly expedient and proper, that a sufficient sum should be granted out of the public Funds of this Province, to the Governor and Trustees of the College of New-Brunswick, to enable them, with the monies already in their hands, or secured for that

purpose, to erect a suitable building for the accommodation of the President, Professors and students, and the public apartments and offices of the University; And that a further yearly sum should be granted towards the support of the Institution.

Resolved that it is the opinion of this House, that in the present state of the Province, the sum of Eight Thousand Pounds will be amply sufficient to enable the Governor and Trustees, to erect such suitable building; and that as they have now in hand, Six Thousand Pounds, the remainder should be supplied by the public, payable at such times as may hereafter be directed; and it is the wish of this House, that no time should be lost in erecting the building; and that a plan may be adopted, which can hereafter be conveniently added to in case further accommodation should be found necessary.

And further Resolved, that as soon as the College is erected and established, there be included in the annual expences of the Province, the sum of Two Hundred and Fifty Pounds to be paid to the said Governor and Trustees, (in addition to the sum of £250 already granted,) to go towards the endowment of the said College.

MESSAGES FROM HIS EXCELLENCY THE LIEUTENANT-GOVERNOR.

Tuesday, 28th Feb.

The Lieutenant-Governor directed to be laid before the House, Copy of a Dispatch from His Excellency Sir James Kemper, by which the House will perceive that although private contributions had fully defrayed the expences incurred in Nova Scotia for the relief of the sufferers here. Yet the Legislature of that Province have generously appropriated the sum of One Thousand Pounds, which had been pledged by His Excellency for that purpose, and the same has been accordingly placed at the Lieutenant-Governor's disposal.

The Lieutenant-Governor also informs the House, that a similar sum has in like manner been appropriated by the Legislature of Upper Canada, which sum has been remitted here, although the official information has not yet been received.

The Lieutenant-Governor also communicates, for the information of the House, an Account of expences incurred in Quebec, for the relief of the sufferers at Miramichi: And he relies on the House redempting the pledge given on the part of the Government, and appropriating the sum of Six Thousand Pounds; to be applied either in aid of the General Fund or to repay any part of the expences incurred at Quebec, that may hereafter be required.

The Lieutenant-Governor communicates to the House of Assembly the Copy of a Dispatch from the Right Honourable Earl Bathurst, one of His Majesty's principal Secretaries of State, on the subject of Establishing the British Metallic Currency as a circulating medium in this Province; and also a Report of the Officers of His Majesty's Customs at Saint John, with an opinion of the Attorney and Solicitor General thereon: And as it appears to be necessary, in order to carry into effect the objects desired by His Majesty's Government, to repeal certain Acts of the Colonial Legislature, or to make some other Legislative Provision, the Lieutenant-Governor recommends this subject to the consideration of the House.

The packet ship *Manhattan* arrived at New York, on Sunday morning last, from Liverpool, whence she sailed on the 8th January.

The accounts of the years and quarters revenue of England, ending the 5th January, 1826, exhibit a decrease in the produce of the year 1825 compared with that of 1824, of £258,940; and a deficiency in the last quarter, compared with the corresponding quarter of the previous year, of £1,189,966. This deficiency is attributed partly to the recent difficulties in the money market, and partly to the repeal or reduction of the duties on wine, coffee, cocoa, hemp, tobacco, taxes, &c.

The news from St. Petersburg clears up all doubt as to the succession of the Grand Duke Constantine. It seems that a document did exist, by which Constantine had formerly renounced the crown in favour of his brother, the Arch Duke Nicholas; but when the news of Alexander's death reached Saint Petersburg, the latter refused to act upon its conditions; and, instead of placing the crown upon his own head, caused Constantine to be proclaimed and the oath of allegiance to be taken to him. This document had been signed and sealed in triplicate; and Constantine being determined to allow it to be enforced, remained at Warsaw until he heard the result of his determination.

There is a report from Paris, of the death of the Marshal Suchet, Duke of Albufeira, at Marseilles.