

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.

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 tendered by them in British Silver, not less in 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.

W. M. 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. Nehemiah 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 Lieutenant Governor.

Crown Lands Office, Fredericton, 26th May, 1825.

By the Hon. William Boisford, one of the Justices of His Majesty's Supreme Court of Judicature for the Province of New-Brunswick.

WHEREAS upon application to me duly made by John Billevean, of Dorchester, in the County of Westmorland, and Province of New-Brunswick, Acadian, it has been sufficiently attested that John Melancon, late of Dorchester, in the County and Province aforesaid, Acadian, is justly and truly indebted to the said John Billevean, in the sum of twenty-five pounds and upwards, over and above all discounts; and whereas it has been proved to my satisfaction that the said John Melancon, hath departed this Province since the said debt was contracted, and hath not resided within the same, within six months next preceding the said application: I do therefore in pursuance of the Act of the General Assembly in such case made and provided, hereby give notice that I have directed all the Estate of the said John Melancon, as well real as personal within this Province, to be seized and attached, and that unless the said John Melancon do return and discharge the said debt within six months from the publication hereof, that the same will be sold for the payment and satisfaction of the said debt and other Creditors of the said John Melancon if any such there be.

Dated at Sackville this 5th Nov. 1825.

W. BOTSFORD, J. S. C. E. B. CHANDLER, Att'y.

By the Honorable 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 eighteen 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.

R. PARKER, Attorney.

NOTICE IS HEREBY GIVEN, That We, the Subscribers having been duly appointed Trustees of all the the Creditors of Mathias G. Valentine, late of the Parish of Fredericton, in the County of York, House Joiner, an absconded 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 Mathias G. Valentine on or before the Twentieth day of February next ensuing the date hereof, to pay to us, or some, or one of us, all such sum or sums of money, or other debts, duty or things which they owe to the said Mathias G. Valentine, and to deliver all other effects of the said Mathias G. Valentine, 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 Mathias G. Valentine, 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 Mathias G. Valentine, 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 Fredericton, the 21st day of November in the year of our Lord one thousand eight hundred and twenty-five.

M. G. Clopper, } Trustees.
Wm. Taylor, }
John Simpson, }

HALIFAX, JANUARY 16.

The schr. Mary, [not William as reported last week,] Capt. Cleary, from Berbice, for this port, abandoned at sea on the 28th ult. about 90 miles from the coast, has since drifted into a place near Marie Joseph, where she was taken possession of by two persons, we are told of the name of PYZ, —the cargo (rum) 'tis said, in good order: and the master's gold watch and surtout found lying in the cabin; 85 puncheons of rum, (all the cargo saved) with part of the materials, arrived here last night in a small vessel.

From the Weekly Chronicle.

SCHOONER OLIVE BRANCH. The following is the substance of a decision in the Nova-Scotia Court of Vice Admiralty (Instance Court) Dec. 1825, in the case of the schooner OLIVE BRANCH, repaired in a foreign port.

It appeared that the schr. Olive Branch was built at New-Brunswick, in 1823, and there registered in the names of Thomas Landall and Robert Chestnut, British sub-

jects, as the Owners thereof. That one third part of her was afterwards sold by them to E. Lake, a British subject: That in April 1824 she was insured by them in Boston, in the U. States, for one year. That in Sept. 1824 she sailed from Saint John, N. B. under the command of the said R. Chestnut, as master, on a voyage for New-York; and on the 10th of the same month, in prosecution of the same voyage, she got on shore on Egg island shoal near Chatham, Cape Cod, and was stranded, but not bilged; that the cargo consisted of plaster, grindstones and some fish; that the heavier articles were thrown out to lighten the vessel; and the Master having agreed with D. Bears to get her afloat, left her, and gave directions to the Agent for the Owners to give notice on their behalf to the Insurers, that they abandoned the vessel to them; who did not accept the abandonment.—They however directed that the vessel should be brought to Boston, which was done; and she was there repaired at an expense amounting to much more than 200, per ton of the burthen of said vessel, at the cost of the Insurers.* In July last, the Secretary and Agent of the said Insurers put the vessel in charge of Adam Conrad, alleged to be a British subject, and sent her in ballast to this port. That on her arrival the said Master entered her, as a British vessel from Boston in the U. States in ballast, but made no report of her having been repaired in a foreign port. It being soon after discovered that she had been so repaired, she was seized and detained by James Purvis, and libelled by the Advocate General on his relation; and being claimed by John Starr, as Agent for the original British Owners and all concerned, the before mentioned facts were proved.

The cause being heard, and considered and fully argued, as well on the part of the prosecution as the claim and defence. It was declared and adjudged by the Court, that the said schooner Olive Branch could not continue to enjoy the privileges of a British ship; but must be considered for all the purposes of Navigation, to be a Foreign ship or vessel, until the Commissioners of His Majesty's Customs should signify to the Collector and Comptroller of this port, their satisfaction that she was seaworthy when she sailed from St. John; and that the privileges of the said vessel have not been forfeited, notwithstanding the Repairs which have been done to the same in a Foreign country: And it is further declared and adjudged, That the said Adam Conrad, the master of the said schooner, has incurred the penalty of twenty shillings for every ton of the burthen of the said vessel—for not having reported to the Collector and Comptroller of this port on her first entry, that she had been so repaired in a foreign country.

The expenses are said to have exceeded £200 currency.

We regret to have to state, that the Courier employed in the conveyance of His Majesty's Mails from Truro to West-Chester, was, on Thursday afternoon last, about half past 4 o'clock, stopped on the Cobequid Mountain, by a person who appeared to have had his face blackened, and ordered to deliver the Mails; but suddenly starting his horse into a gallop, he fortunately escaped, though at the moment he received a severe blow on the back of his head, whether from a stick, which the fellow had in his hand, or from a stone, he knows not, as it rendered him for some time insensible. He continued his journey with utmost speed, until he reached Mr. Purdy's, at West-Chester. On examining his head a cut of about two inches in length was discovered. A reward has been offered for the apprehension of the Offender, and Letters have been written by the Provincial Secretary, to the Magistrates in the District of Colchester, and County