



WEDNESDAY,

JUNE 9, 1802.

ST. JOHN: PRINTED and PUBLISHED by JOHN RYAN, Printer to the KING'S MOST EXCELLENT MAJESTY, at his Office, No. 9, LONG-WHARF, South side Market-Slip, where ESSAYS, ADVERTISEMENTS, &c. will be thankfully received.

[VOL. XVII.]

[NIMR 202]

Assize of Bread,

PUBLISHED April 20th, 1802.
The Sixpenny Wheaten Loaf } lbs. oz.
to weigh - - - - - } 2 6 1/2
Ditto Rye - - - - - } 3 2
And other Loaves in proportion.
WILLIAM CAMPBELL, Mayor.

BY HIS EXCELLENCY
THOMAS CARLETON, Esq.

*Lieutenant-Governor and Com-
mander in Chief of the Pro-
vince of New-Brunswick, &c.
&c. &c.*

THOS. CARLETON.

A PROCLAMATION.

WHEREAS the General Assem-
bly of this Province stands pro-
rogued to the first Tuesday of June
next; I have therefore thought fit, by
and with the advice of His MAJES-
TY'S Council, to dissolve the said Gen-
eral Assembly, and the same is hereby
accordingly dissolved: whereof all Per-
sons whom it may concern will take
due notice.

Given under my hand and Seal at
Frederickton, the tenth day of
May, in the Year of our Lord
One Thousand Eight Hundred
and Two, and in the Forty-Second
Year of His MAJESTY'S
Reign.

By His EXCELLENCY'S Command,
JON. ODELL.

BY HIS EXCELLENCY
THOMAS CARLETON, Esq.

*Lieutenant-Governor and Com-
mander in Chief of the Pro-
vince of New-Brunswick, &c.
&c. &c.*

THOS. CARLETON.

A PROCLAMATION.

BY Virtue of the Power and Au-
thority granted to me, in and by
an Act of Parliament made and passed
in the Twenty-eighth year of His MAJES-
TY'S Reign, intituled, "An Act for reg-
ulating the Trade between the Subjects
of His MAJESTY'S Colonies and Plan-
tations in North-America and in the
West-India Islands and the Countries
belonging to the United States of Amer-
ica, and between His MAJESTY'S said
Subjects and the Foreign Islands in the
West-Indies"—I do, by and with the
advice and consent of His MAJESTY'S
Council, publish this Proclamation,
hereby authorizing and permitting
Wheat, Rye, Rice or Indian Corn and
the Flour of Wheat or Rye—also Ash
Oar-Rafters and Capstain Bars, Staves,
Heading and Treenails, to be imported
by British Subjects in British built ships
owned by His MAJESTY'S Subjects
and navigated according to Law, from
any of the Territories belonging to the
United States of America, for and dur-
ing the term of Six Months from this
date—and of this Proclamation all Per-
sons whom it may concern will take due
notice and govern themselves accord-
ingly.

Given under my Hand and Seal
at Frederickton, the first day
of January, in the Year of our
Lord, one thousand eight hun-
dred and two, and in the forty-
second year of His MA-
JESTY'S Reign.

By His EXCELLENCY'S Command,
JON. ODELL.

NOTICE.

ALL Persons who have any legal
demands against the Estate of
JOHN TAYLOR, late of this Province,
deceased, are requested to send in their
accounts duly attested to the Subscri-
ber, within six months from the date
hereof.—And all persons indebted to
the said Estate, are desired to make im-
mediate payment to

JOHN WARD,
Administrator.
St. John, March 24th, 1802.

To the worthy and respectable FREEHOLDERS, Electors of Members to serve in GENERAL ASSEMBLY, for the large and flourishing County of YORK.

HAVING seen in the Royal Gazette of the last week, a Proclamation dissolving the General Assembly, and presuming you will soon be called upon to return Members for a new Assembly, I feel it to be my indispensable duty to take the earliest opportunity of presenting you, in this public manner, with my warmest and most unfeigned thanks for the honor you have in the handsomest manner done me of electing me, by a very flattering majority of your suffrages, a Member of every Assembly since the first formation of a Legislature in the Province. This mark of your approbation repeated on several occasions, has not failed to impress me with the highest sense of gratitude, and has cherished a most pleasing consciousness of having rendered you services, at the same time faithful and acceptable—nor do I feel it less my duty, on the present occasion, to assure you, which I do with much regret; that a necessary attention to my private affairs, which will probably frequently call me abroad, must prevent my offering myself a Candidate for further similar favors, which I should otherwise have presumed to have done, with a confident hope of success.—Permit me at the same time, to request you will accept this sincere acknowledgment of the high obligation I shall ever feel myself under for your past favors, and that you will allow me to add my most cordial and most affectionate wishes for your honor, happiness and prosperity.

D. MURRAY.

St. John, 2d June, 1802.

Province of NEW-BRUNSWICK, ff.

By the Hon. JOSHUA UPHAM, Esquire, one of the Justices of His Majesty's Supreme Court of Judicature for the Province of New-Brunswick, &c. &c.

To all whom it may concern, Greeting:

NOTICE is hereby given,
That upon the application of John Coffin, Esq. to me duly made according to the form of the Acts of Assembly in such case lately made and provided, I have directed all the Estate as well real as personal within this Province, of Nathaniel Munday, late of King's county, Esquire, (which same Nathaniel Munday departed from this Province after the debt due to the said John Coffin was contracted, and hath not resided within the same for the term of Six Months last past, as it is alledged against him) to be seized and attached, and that unless the said Nathaniel Munday do return and discharge his said debt within Three Months from the publication hereof, all the Estate as well real as personal of the said Nathaniel Munday within this Province, will be Sold for the payment and satisfaction of the Creditors of the said Nathaniel Munday.

Dated at the City of Saint John, the thirty-first day of May, one thousand eight hundred and two.
JOSHUA UPHAM.

St. John's Lodge.

THE Master, Wardens, and Brethren, of St. JOHN'S Lodge, No. 29, lately formed in this City, beg leave hereby respectfully to inform their Brethren who are not Members of this Lodge, that they purpose to celebrate the Festival of St. John the 24th inst.—THEY will meet in their Lodge Room on said day, at 10 o'Clock in the Morning, and from thence attend Church for the benefit of Prayers; after which, will be a Sermon suitable to the occasion.

THE Members of the Lodge, will be happy to see such of their Brethren as may be disposed to join them, and those who conclude to attend, are requested to send in their Names, by the 16th instant, to Mrs. Mallard, who is to provide a Dinner,

FOR THE ROYAL GAZETTE.

MR. RYAN,

AT a time like the present, of almost general discussion, when the rights of subjects and the rights and laws of nations and kingdoms are under scrutiny, it will not surely be very surprising, that a spirit of inquiry should have sprung up, even in this retired corner of the world—these things are undoubtedly contagious, and so long as kept within the bounds of moderation and decency, no possible harm or pernicious tendency can result, and topics of controversy are not wanting even here.

In some of your late papers a free, familiar, modest inquiry has been made, as to the propriety of certain late Provincial Acts of Legislation, which naturally lead to an examination of our Provincial Constitution, what it is, whence derived, how defined, and how bounded and limited.

Judge BLACKSTONE treats of Provincial establishments and tells us, that "the Constitutions of which depend on the respective Commissions issued by the Crown to the Governors and the Instructions which usually accompany those Commissions; under the authority of which, Provincial Assemblies are constituted, with the power of making local Ordinances, not repugnant to the Laws of England."

This information can indeed afford us little satisfaction, unless we can know what such Commissions and Instructions are and what rights and privileges are thereby given, granted or guaranteed; nor can it be deemed an idle or impertinent curiosity, in the people of this Province, to wish to see and know the important contents of their Magna Carta, their great Charter of Liberties.

I am credibly informed, that the Charter of the late British province of Massachusetts was published with the Laws of that Province, and we know, the Constitution of Lower and Upper Canada is to be seen, published at large in the Books of British Statutes, † from which the Subject may safely regulate his conduct, and I most anxiously hope and confidently believe, as many others do, that the time is not far distant, when the King and Parliament will see it to be for the interest of the Nation and particularly so of his Majesty's faithful subjects in this Province, to grant them a Constitution and form of Government nearly similar to that of Lower and Upper Canada.

Impressed with these sentiments and with this curiosity, and presuming it cannot be offensive to any one, I venture to request you will publish the following extracts from a treatise written by ANTHONY STOKES, his Majesty's late Chief Justice of Georgia, containing the usual form of such Commissions, by which you will oblige a Customer and constant reader of your useful and entertaining paper.

* 1 Blac. Com. 109.
† 31 Geo. III. c. 31.

"I SHALL lay before the reader a modern form of a Governor's Commission.—The dates in this Commission are arbitrary, and the name of any particular Province is omitted.—I flatter myself there cannot be the least disrespect to Government in publishing this form of a Governor's commission, as some have already appeared in print.

"G. R.
"GEORGE the Third, by the Grace of God, of Great-Britain, France, and Ireland, King, Defender of the Faith, and so forth: To our trusty and well beloved A. B. Esq.

"GREETING:
"KNOW you that we, reposing especial trust and confidence in the prudence, courage and loyalty of you the said A. B. of our especial grace, certain knowledge, and mere motion, have thought fit to constitute and appoint you the said A. B. to be our Captain-General and Governor in Chief in and

over our Province of F—, and the territories depending thereon in America: And we do hereby require and command you to do and execute all things in due manner that shall belong unto your said command, and the trust we have reposed in you, according to the several powers and directions granted or appointed you by this present commission, and instructions herewith given you, or by such further powers, instructions, and authorities, as shall at any time hereafter be granted or appointed you under our Signet and Sign Manual, or by our order in our Privy Council, and according to such reasonable laws and statutes as now are in force, or hereafter shall be made and agreed upon by you, with the advice and consent of our Council, and the Assembly of our said Province under your government, in such manner and form as is herein after expressed.

"And our will and pleasure is, that you the said A. B. after the publication of these our Letters Patent, do, in the first place, take the oaths appointed to be taken by an Act passed in the first year of the reign of King George the First*. And by an Act passed in the sixth year of our reign †. As also, that you make and subscribe the declaration mentioned in an Act of Parliament made in the twenty-fifth year of the reign of King Charles ‡. And likewise, that you take the oath usually taken by the Governors in the Plantations, for the due execution of the office and trust of our Captain-General and Governor in Chief in and over our said Province of F—, and the territories depending thereon, for the due and impartial administration of justice: and further, that you take the oath required to be taken by Governors of Plantations, to do their utmost, that the several laws relating to trade and the Plantations be duly observed: which said oaths and declaration our Council of our said Province, or any of the Members thereof, have hereby full power and authority, and are required to tender and administer unto you, and in your absence to our Lieutenant-Governor, if there be any upon the place; all which being duly performed, you shall yourself administer unto each of the Members of our said Council; as also to our Lieutenant-Governor, if there be any upon the place, the oaths mentioned in the said Acts; as also to cause them to make and subscribe the afore mentioned declaration, and to administer to them the usual oath for the due execution of their places and trusts.

"And we do hereby give and grant unto you full power and authority to suspend any of the Members of our said Council from sitting, voting, or assisting therein, if you shall find just cause for so doing; and if there shall be any Lieutenant-Governor, him likewise to suspend from the execution of his command, and to appoint another in his stead until our pleasure be known: and if it shall at any time happen, that, by the death, departure out of our said Province, or suspension of any of our said Councillors, or otherwise, there shall be a vacancy in our said Council (any whereof we do hereby appoint to be a quorum), our will and pleasure is, that you signify the same unto us by the first opportunity, that we may, under our Signet and Sign Manual, constitute and appoint others in their stead. But that our affairs may not suffer at that distance, for want of a due number of Councillors, if ever it should happen that there be less than of them residing in our said Province, we do hereby give and grant unto you the said A. B. full power and authority to chuse as many persons out of the principal Freeholders, inhabitants thereof, as will make up the full number of our said Council to be and no more;

* 1 Geo. I. st. 2. c. 13.
† 6 Geo. III. c. 53.
‡ 25 Cha. II. c. 2.