

THE NEW-BRUNSWICK
ROYAL GAZETTE.

[Volume III.]

TUESDAY, 18th NOVEMBER, 1817.

[Number 37.]

The Gazette.

By His Excellency Major-General GEORGE STRACEY SMYTH, Lieutenant Governor and Commander in Chief of the Province of New-Brunswick, &c. &c.

G. S. SMYTH.

A Proclamation.

WHEREAS by Act of Parliament passed in the Forty-eighth year of His present Majesty's Reign, Power is given to the Governor, Lieutenant-Governor, or Commander in Chief of this Province, with the advice and consent of His Majesty's Council, to allow the importation of certain enumerated articles from the United States of America into this Province, for the purpose of re-exporting the same; and I have therefore thought fit with the advice and consent of His Majesty's Council to publish this Proclamation, hereby authorising and empowering British Subjects for the space of six months from the date hereof, to import and bring into this Province from the United States of America, in British built ships or vessels owned and navigated according to Law; Scantling, Plank, Staves, Heading-Boards, Shingles, Hoops, or Squared Timber of any sort; Horses, Neat Cattle, Sheep, Hogs, Poultry, or Live Stock of any sort; Bread, Biscuit, Flour, Peas, Beans, Potatoes, Wheat, Rice, Oats, Barley or Grain of any sort; and British Subjects during the same period, are hereby authorized and empowered to export in British ships owned and navigated as aforesaid, all or any of the said herein before enumerated articles, to any other of His Majesty's Colonies or Plantations.

GIVEN under my Hand and Seal at Fredericton, the first day of September, in the Year of our Lord one thousand eight hundred and seventeen, and in the fifty-seventh year of His Majesty's Reign.

By His Excellency's Command.

WM. F. ODELL.

By His Excellency Major-General GEORGE STRACEY SMYTH, Lieutenant Governor and Commander in Chief of the Province of New-Brunswick, &c. &c.

G. S. SMYTH.

A Proclamation.

WHEREAS the General Assembly of this Province stands prorogued to the third Tuesday of this instant September, I have thought fit further to prorogue the said General Assembly, and the same is hereby prorogued to the third Tuesday in December next ensuing.

GIVEN under my Hand and Seal, the fifteenth day of September, in the year of our Lord one thousand eight hundred and seventeen, and in the fifty-seventh year of His Majesty's Reign.

By His Excellency's Command.

WM. F. ODELL.

POST-OFFICE, FREDERICTON, 14th April, 1817.

The following extract from an Act of Parliament, is published for the information of the FERRYMEN in this Province:—And Notice is hereby given that prosecutions will be commenced against all Persons who shall in future offend against the said Act.

ANDREW PHAIR, Postmaster. Statute made and passed in the 9th year of the Reign of Queen ANN, Chap. 10. Sec. 29. "And for as much as the Post must necessarily cross several Ferries in North America, in which the Ferry-men give great delays, and sometime have endeavored to exact money from them notwithstanding the same have been always free for the Post: Be it therefore enacted by the authority aforesaid, that no Deputy or Agent of such Postmaster General travelling with any mail of Letters shall pay anything for passing or repassing any Ferry within any of the Colonies or Plantations of Her said Majesty in North America aforesaid, but such Ferry-men shall forthwith, within one half hour after demand, convey such mail on pain of forfeiting for every such offence, the sum of FIVE POUNDS, to be recovered in any Court of Record within any of the Colonies or Plantations of Her said Majesty, by bill, plaint, or information, wherein no Essoin, Protection or Writ of Law shall be allowed: one moiety thereof to Her Majesty, the Heirs and Successors to the support of the Government of the said Provinces, and the contingent charges thereof; and the other moiety to the Postmaster General who shall sue and prosecute for the same, together with full costs of suit."

SECRETARY'S OFFICE, FREDERICTON, 5th MAY, 1817.

PUBLIC NOTICE

IS hereby given that Allotments of LAND between Presqu' Isle and the Great Falls, will be made for such of the disbanded Officers and Men of the late New-Brunswick Fencibles as are desirous to establish themselves thereon. Who are hereby required forthwith to give in their names at the SECRETARY'S OFFICE.

N. B. The above Notice is extended to the Officers and Men of the 104th Regt.

Published by Authority.

Regulations respecting the granting of Licences to cut Pine Timber.

NO Licence to be granted to cut Timber on Land reserved for the use of the Crown.

LICENCES to be granted only to British subjects, with condition to be forfeited if assigned to Aliens, and every Licence to specify the quantity to be cut, and to be limited as to time; and no Timber fit for the Navy to be permitted to be cut for private use.

No Licence to be granted to cut Timber on Lands for which application has been made for Grants, and every applicant for a Licence, to describe particularly the Land on which he wishes to cut, and the quantity of Timber, and accompany his application with a Certificate, that the Land has not been applied for to be granted.

ALL applications for Licences to be handed in the first place to the Deputy Surveyor of the Woods, who, if he thinks fit to recommend the application, will lodge it in the Secretary's Office, to be laid, in the usual manner, before a Committee of His Majesty's Council for consideration; and any three Members of the Council to be a Committee for the purpose of considering the applications in question.

Secretary's Office, 26th Aug. 1817.

AT a Special Session of the Peace holden at the County Court House in Fredericton in and for the County of York, on Wednesday the 6th of August, 1817, for the Purpose of regulating the ASSIZE of BREAD in the Town of Fredericton,

Ordered that from and after Saturday the 9th inst. the ASSIZE of BREAD be as follows:—viz.

THE Shilling Wheaten Loaf to weigh Two Pounds Twelve Ounces, and the Shilling Rye Loaf to weigh Four Pounds and other Loaves in proportion.

ORDERED that for every offence in Baking and Vending any Loaf of Bread under the weight abovementioned, the Person so offending shall pay a fine of ten shillings to be recovered upon conviction, before any one of His Majesty's JUSTICES of the PEACE on the oath of one or more credible witness or witnesses, or view of the Justice and levied by Warrant of Distress and Sale of the Offenders Goods; and when recovered, (after deducting the costs and charges) to be paid into the hands of the overseers of the Poor of the Parish of Fredericton.

ORDERED that the respective Bakers be furnished with a Copy of the above regulations, and that they be published in the Royal Gazette.

By order of the Court, G. CLOPPER, Clk. of the Peace.

NOTICE.

ALL Persons having any demands against the Estate of the late THOMAS HUSTON, of Burton, deceased, are requested to present their Accounts duly attested, within six Months from the date hereof; and all those indebted to said Estate, are desired to make immediate payment to

SAMUEL NEVERS, } Administrators.
CONROD STANNIX, }
CALVIN HATCH. }

Burton 26th, December, 1816.

By the Honorable WARD CHIPMAN 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 Henry Gilbert, Daniel Scovil and Walker Tisdale, of the City of Saint John, Merchants, 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, of Charles Simpson, late of the same City, Trader, (which same Charles Simpson, is departed from and without the limits of this Province, with intent and design to defraud the said Henry Gilbert, Daniel Scovil, and Walker Tisdale, and the other Creditors of the said Charles Simpson, 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 Charles Simpson do return and discharge his said debt or debts within three months from the publication hereof, all the Estate, as well real as personal, of the said Charles Simpson, within this Province, will be sold for the payment and satisfaction of the Creditors of the said Charles Simpson.

Dated at Saint John the ninth day of September one thousand eight hundred and seventeen.

WARD CHIPMAN, J. S. C. W. CHIPMAN, junr. Atty.

By the Honorable WARD CHIPMAN, Esq. 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 Hugh Johnston, Hugh Johnston, junr. and John R. Partelow, to me duly made according to the form of the Act of Assembly in such case lately made and provided, I have directed all the Estate, as well real as personal, within this Province, of James Sloan, late of the City of St. John, (which same James Sloan is departed from and without the limits of this Province with intent and design to defraud the said Hugh Johnston, Hugh Johnston, junr. and John R. Partelow, and the other Creditors of the said James Sloan, 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 James Sloan do return and discharge his said debt or debts within three months from the publication hereof, all the Estate as well real as personal of the said James Sloan within this Province will be sold for the payment and satisfaction of the Creditors of the said James Sloan.

Dated at the City of St. John the second day of September, in the year of our Lord one thousand eight hundred and seventeen.

WARD CHIPMAN, J. S. C. W. CHIPMAN, junr. Attorney.

BY the Honorable JOHN SAUNDERS, Esq. one of the Justices of His Majesty's Supreme Court of Judicature for the Province of New-Brunswick.

TO ALL TO WHOM IT MAY CONCERN: NOTICE is hereby given that upon the application of James Fraser, John Fraser, and Alexander Fraser, to me duly made according to the form of the Act of the General Assembly, in such case made and provided, I have directed all the Estate, as well real as personal, within this Province, of David Shauhenry, late of Northesk, in the County of Northumberland, (which same David Shauhenry has either departed from this Province or is concealed within the same) to be seized and attached: And that unless the said David Shauhenry shall return and discharge his debts within Six Months from the publication hereof, all the Estate, as well real as personal of the said David Shauhenry, within this Province, will be sold for the payment and satisfaction of the creditors of the said David Shauhenry.

Dated at Fredericton, the 4th day of October, in the year of our Lord, one thousand eight hundred and seventeen.

JOHN SAUNDERS. J. S. SAUNDERS, Atty.

From a late London paper

Lancaster Assizes Sept. 5. MURDER.

James Ashcroft the elder, aged 53, David Ashcroft (his brother), aged 48, James Ashcroft the younger, aged 32, William Holden, aged 47, and John Robinson, aged 53, charged with the murder of Margaret Marsden and Hannah Partington in the dwelling house of Thomas Littlewood, at Pendleton, near Manchester, on the 26th April, pleaded not guilty.

The dreadful atrocity of the murder, unparalleled by the murder of Marr and his family, the hour of the day (two o'clock in the afternoon), and the public place in which the horrid deed was perpetrated, together with the number of the accused and the nicety of the evidence, had excited the highest curiosity. At seven o'clock, the Court was excessively crowded. At eight the trial commenced. There were several challenges. After a Jury was sworn, the elder Ashcroft flung his hand upwards with a theatrical air, and exclaimed not guilty his brother following his example, and his son, and Holden. Robinson scarcely raised his hand to young Ashcroft's shoulder.

[Mr. Cross opened the case for the prosecution, at some length: after which, the following witnesses were sworn and examined.]

Martha Blake (by Mr. Colman).—I keep the Crown and Anahor. I remember Mr. Mortimer being there on the 25th in the bar: No one was with him for some time. The first that came in was D. Ashcroft. I don't know the persons or names of the three that came in together. D. Ashcroft moved into the chair that Mortimer got out of. The other persons sat on a form at the table. They sat two and two together on the opposite sides of the table. They were conversing in a kind of whisper. They continued till about eleven; an hour after Mortimer went away. They were talking so the whole of the time. They had two or three gills a-piece of ale. I saw no laughing or joking. I sat and looked at them wondering what they had so much to whisper about.

Wm. stretch, (by Mr. Ashworth).—I was in Pendleton on the 26th. I saw D. Ashcroft and young James. It was near the Woolpack. They were in conversation. It stands beyond Littlewood's, a quarter of a mile farther from Manchester. It was about 12. I saw them again at two going towards Manchester and Mr. Littlewood's.

Mary Hallows, (by Mr. Cross).—I lived on the opposite side of the road to Mr. L. I went that day to L.'s pump. I came across the road, in at the iron-gate, along by the front of the house, and into the yard to the pump. It was between one and two. I saw in at the window as I passed by the front of the house. I saw two in the kitchen, Mrs. Marsden with her back towards the window, sitting between the window and the fire; the other person, a man, sitting with his face towards the window. I had a clear view of him. In the yard I saw the young woman, Hannah Partington. I have seen the man again. He had a yellow silk handkerchief, and dark coat and waistcoat. I saw him again on Monday following. I went on the Monday into L.'s parlour for the purpose of looking if I could know the man.—There were more than ten men in the room. I immediately knew him; it was Wm. Holden. Before I spoke, he said, "you are wrong, young woman." I said, "I believe that to be the man I saw in the kitchen."—I have no doubt at all that he is the man. I looked particularly at him as I passed the window. He looked as earnestly at me.

Mr. T. Littlewood, [by Mr. Colman].—My house is in Pendleton. I have a grocer's shop in Salford. My family consisted of myself, my wife, Mrs. Marsden,