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

(L. S.)

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, 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 *Three 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, Planks, Staves, Heading-Boards, Shingles, Hoops, or Squared Timber 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 authorised 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 Saint John, the eleventh day of September, in the year of our Lord one thousand eight hundred and eighteen, and in the fifty-eighth year of His Majesty's Reign.

By His Excellency's Command,

H. H. CARMICHAEL,
Deputy Secretary.

Published by Authority.

SECRETARY'S OFFICE,
8th January, 1818.

Further REGULATIONS respecting the Granting of LICENCES to cut PINE TIMBER.

NO LICENCE hereafter to be granted to any Person to cut Pine Timber who is not actually and bona fide a Freeholder possessing Lands within the Province; and every Applicant for a Licence must make it appear in his Petition that he is a Freeholder within the meaning of this Regulation.

Republished by Authority.

SECRETARY'S OFFICE,
Fredericton, 20th Nov. 1817.

Petitioners for GRANTS of LAND having frequently neglected to set forth in their PETITIONS, the particulars required by public Notice: The following is published by authority,—and no Petitions can be hereafter attended to unless they contain all the requisites mentioned in the following Notice:

NOTICE is hereby given, that every Person who shall hereafter make application for a GRANT of LAND must set forth in his Petition the following particulars:—viz.

The place of his Birth; to what County he is subject; his present place of residence; and where he has resided for the last five years;—whether he is married or single; and whether he has had any and what Grant or Allotment of Land from the Crown; and also the particular situation of the Land applied for; and whether it is in its natural and uncultivated state, or whether any improvement has been made thereon; and the intention and ability of the Petitioner *forthwith* to cultivate and improve, by himself or by his servants or associates, the Land for which he applies, *according to the Royal Instructions*, and also that he has not directly or indirectly bargained or agreed for the sale or transfer of such Land to any Person or Persons whatsoever; and shall verify his Memorial by an Affidavit in the following form:

"*On the day of before*
"*me one of His Majesty's Justices*
"*of the Peace for the County of per-*
"*sonally appeared the above named*
"*and made Oath that the several matters*
"*and things set forth in the before written*
"*Petition are just and true.*"

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:

NOTICE is hereby given, that upon the application of WILLIAM WILMOT, SAMUEL PETERS, STEPHEN GLAZIER, and BENJAMIN GLAZIER, Merchants and Co-partners in trade, lately carrying on Business in Fredericton, in the County of York, and Province aforesaid, under the Firm of PETERS & WILMOT and COMPANY, and WILLIAM SEWELL of the same place, Merchant, 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 *Ruben Smith*, late of the Parish of Kingsclear, in the County of York aforesaid, Farmer, (which said *Ruben Smith*, is departed from and without the limits of this Province, or concealed within the same, with intent and design to defraud the said WILLIAM WILMOT, SAMUEL PETERS, STEPHEN GLAZIER, BENJAMIN GLAZIER, and WILLIAM SEWELL, and the other Creditors of the said *Ruben Smith*, 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 *Ruben Smith*, 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 *Ruben Smith*, within this Province, will be sold for the payment and satisfaction of the creditors of the said *Ruben Smith*.

Dated at Fredericton, the twenty-seventh day of July, one thousand eight hundred and eighteen.

J. M. BLISS, J. S. C.

GEO. L. WETMORE, Atty.

LONDON, AUGUST 10.

ARBUTHNOT AND AMBRISTER.

On the serious subject of the execution of the two British subjects, Arbuthnot and Ambrister, we have extracted an article of some importance from the National Intelligencer, reported to be the Cabinet Paper of the United States. It speaks somewhat cautiously of the transaction, and requests the world not to condemn the act without inquiring into its justice. The appeal is undoubtedly fair, and we can have no objection to abide by the issue. The inquiry they demand cannot, for the honour of both countries, be gone into too speedily or too earnestly; and we are happy to have it in our power to contribute something towards the elucidation of the matter by the publication of the subjoined extracts, with which we have been exclusively favored, from a letter sent by the unfortunate Arbuthnot himself, some time before his seizure and execution, to an officer of rank in this country, for the purpose of being submitted to His Majesty's government.

It will be observed that this letter goes to establish three very important points:

1st. That Mr. Arbuthnot was living among the Indians with authority, either express or well understood, from his Majesty's government, to communicate to it any information which might appear to him necessary respecting the fulfilment, by the Americans, of the conditions stipulated for by this country, in favour of its Indian Allies, by the Treaty of Ghent,

2d. That by the Treaty of Ghent the British government were perfectly entitled to have such an Agent resident among the Indians.

3d. That the Americans, as we have all along suspected, have been the real aggressors in their quarrel with the Seminole Indians, by not only withholding territory that they ought to have given up to them, but by making inrods on the little that they had left them, and that it is for using his endeavours as a British subject and British Agent, to see that full justice done to the Indians which his country had solemnly stipulated for them, that Mr. Arbuthnot has fallen a victim to the wrath of the Americans.

MR. ARBUTHNOT'S LETTER.

"In the Gazette of Georgia, the Americans report that the Seminole Indians are continually committing murders on the borders, and making incursions into the State. These are fabrications tending to irritate the American government against the poor Indians; for during the time I was in the nation, there was only one American killed, and he with two others, were in the act of driving off cattle belonging to Bolech, Chief of Sawahnee; whereas three men and a boy were killed last June by a party of American cattle-stealers, while in their hunting camps.—The boy they scalped. And one of Bolech's head men was killed on St. John's River, in July.

"The back-wood Georgians, and those resident on the borders of the Indian nation, are continually entering it and driving off the cattle; they have in some instances made settlements, and particularly on the Choctohatchie river, where a considerable number have descended.

"By the Treaty with Great Britain, the Americans were to give up to the Indians all the lands that may have been taken from them during the war, and place them on the same footing as in 1811. It appears they have not done so, that Fort Gaines, on the Chattahouchy river and Camp Crawford, on the Flint River, are both on Indian Territory, that was not in possession of the Americans in 1811.

"The power," he afterwards adds, "given me, and the instructions, were, to memorialize His Majesty's government, as well as the Governor-General of Havanna." [This power might have been given by the Indians.]

NASSAU, (*N. P.*) JUNE 30.

The Memorial of JAMES AMBRISTER, of the Island of New-Providence,

Humbly sheweth as follows:—

Your memorialist's youngest son, Robert Chrystie Ambrister, was born in this colony, in the year 1797; he served as a midshipman in his Majesty's navy for about four years; he afterwards obtained, under Admiral Cochrane a Lieutenant's commission in His Majesty's late corps of royal colonial marines, destined to be employed during the late war with the United States of America, in which capacity he served with Major Nicholls, in the Floridas, and from thence he returned to New-Providence, on the establishment of peace: without having been then, or at any time since, confirmed to his last-mentioned rank, in any way whatever, by his Majesty's government.

Some short time since, your memorialist's said son, when on a visit to the Floridas, as a passenger in a small trading vessel from these Islands, certainly, on the last occasion, without any military commission or appointment of any kind which your memorialist is aware of, was (as your memorialist, with the deepest pain, has lately learned by public accounts from different quarters) seized upon at his Catholic Majesty's fort at St. Mark's, by a military force from the United States of America—tried by a Court Martial, and condemned to be shot, on some pretence of crime not yet known to your memorialist; and actually executed in pursuance of his sentence!

As your memorialist understands, his son had not been on shore more than fourteen days when he was thus fatally proceeded against.

By the same public accounts, your memorialist further learns, that Mr. Alexander Arbuthnot, a trader of this place, who is well known never to have had any connection with military life, was also seized at St. Marks, at the same time with your memorialists's son, and executed, in pursuance of a sentence of the same court martial.

Your memorialist, without being able to conjecture what offence either his son or Mr. Arbuthnot could well have been guilty of, within his Catholic Majesty's dominions, which could, according to any known principle of natural law, subject their lives to forfeiture in this instance, within the fair jurisdiction of the invading force—respectfully represents, as a characteristic aggravation of this apparently flagitious mockery of justice (should the fact prove to be, as it is represented and believed) that the principal witness produced against the prisoners before the extraordinary tribunal which claimed the right of bringing them to trial, was an infamous person of the name of COOKE, a vendue master's clerk, who some time ago quitted these Islands, in consequence of having robbed his master, and who was afterwards imprisoned at Saint Marks, for a similar offence against Mr Arbuthnot, who had the misfortune to employ him in his mercantile concerns there.

Your memorialist therefore trusts, that your Honor, in kind indulgence to the natural feelings and solicitude of a parent, at so dark and melancholy an event, as well as from motives of a more important general character, will be pleased to lay this statement before his Majesty's government; your memorialist humbly but anxiously hoping that your Honor's communication may lead to an enquiry of high authority, which your memorialist confidently believes must redeem his son from all just imputation of dishonour, and (your memorialist begs he may be excused for adding) the British character also, from those fabricated tales and foul aspersions with which the public ear is abused, particularly in the United States of America, in full justification of the above-mentioned sanguinary measures of their present military commanders.

Your memorialist will ever pray, &c.

(Signed) JAMES AMBRISTER.

Nassau, 29th June, 1818.

(From the Halifax Free Press.)

SIR,

The appeal made to the British Government by the father of the unfortunate AMBRISTER will, I trust, meet with the attention which it deserves; and that all the circumstances of this extraordinary transaction will at length be fully developed.

If this young man, and his unhappy companion Arbuthnot were guilty of any crime against the American people, which could authorise General Jackson to put them to death, the American Government owes it to itself—to Great Britain—and to the whole civilized world, to explain the nature of that crime; and the proof on which it rested—months have elapsed since these unhappy men met their fate, and the world as yet knows nothing more than this—*that it was the will of General Jackson that they should die.*

The American Government, I trust, feel that we live not in an age when the lives of men can be wantonly sacrificed;—that among civilized nations, war has its laws, and even prisoners have their rights;—and that they are bound to explain upon what grounds the commander of the American army took the lives of these two British subjects, whose persons he seized in the territory of a power then in a state of peace, both with Great Britain and America.

If the American Government chuse to preserve a state of haughty silence, upon this deeply interesting subject—if they will not do themselves the justice to explain the reasons which induced the commander of their army to take this extraordinary step—we must take it for granted that they are unable to justify the measure; and we must then consider them either as the murderers of our countrymen, or as the protector of the man who committed this atrocious act.

I must acknowledge that in addressing the public upon this subject, I feel it difficult to repress those sentiments of indignation, which it is so well calculated to excite. The very indifference which the American Government have manifested to the charge which has so long existed against them, of murdering two British subjects, is in itself insufferable; and if it is in their power to satisfy the civilized world, that this act is not an outrage upon their rights, the delay of that explanation is an insult to their feelings.

If these two unhappy men have justly met their fate by incorporating themselves with the enemies of the United States, and by committing acts, in that character, which according to the laws of war would justify their execution, the American Government should remember that the penal code, even of war itself, does not proceed upon the base principal of vengeance; its object, in the severest punishments, is to deter others from committing similar offences; and it is therefore not only due to the countrymen of these unfortunate sufferers, but to foreigners in general, to state explicitly the crime for which they suffered, lest others might ignorantly commit the same.

All that we know at present is, that there is some vague charge against these men, of having aided the Seminole Indians, who were engaged in war with the United States; and for this they have been put to death by a Government, which when it but a few years since, declaring war against Great Britain, enlisted under its banners, native British subjects, and when these men were taken in arms against their country, and were threatened with the just punishment of their crimes; this very Government stepped forth as the avowed protector of the traitors; in open defiance of the laws established for centuries among civilized nations, claimed for these *parricides* the right to raise their arms against their fathers and their friends; and threatened to murder unfortunate prisoners whom the chance of war had thrown into their power, if Great Britain should dare to execute the sentence which the law pronounces upon treason.

I call upon my countrymen to reflect upon these transactions; and I would ask even the most moderate, if under such circumstances it is not almost criminal to be cool. When the Commander in Chief of the British army seized the traitors, who had joined the standard of the enemies of their country, he did not hurry them to instant death;—he delivered them over to his Government, to be tried by the laws of their country, for the crime of which they were accused. Yet even for taking this step, the American Government seized upon British prisoners of war; confined them in the most rigorous manner, and threatened to murder them if we permitted the law to take its course. But when in the time of peace, the American army made an inroad into the territories of a neutral power, and there seized two British subjects, the Commander of the American army did not deliver them over to the civil power,—did not bring them before the tribunals of his country, but put them to death upon the spot; and neither he nor his Government have ever condescended to explain the motives which impelled him to this cruel measure.

It must be unnecessary to dwell longer upon this unhappy subject. I am convinced that every friend to humanity, to morality and to the preservation of those laws which regulate the intercourse of civilized nations, must unite their voices in demanding from the American Government, a full explanation of this extraordinary transaction; and I cannot doubt that a numerous