

THE NEW- ROYAL



BRUNSWICK GAZETTE

VOLUME XIII.]

TUESDAY, 19TH SEPTEMBER, 1826.

[NUMBER 30.]

THE GAZETTE.

By His Excellency Major-General Sir Howard Douglas, Baronet, Lieutenant-Governor, and Commander-in-Chief of the Province of New-Brunswick, &c. &c. &c.

HOWARD DOUGLAS.

A PROCLAMATION.

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

Given under my Hand and Seal at Fredericton, the thirty-first day of August, in the Year of our Lord one thousand eight hundred and twenty-six, and in the seventh Year of His Majesty's Reign.

By His Excellency's Command.
WM. F. ODELL.

Fredericton, 11th Sept. 1826.

MILITIA GENERAL ORDERS.

His Excellency the Commander-in-Chief is pleased to appoint T. ROBERT WETMORE, Gent. to be Adjutant of the 1st Battalion York County Militia, with the rank of Captain.

By Command.
GEO. SHORE, Adj. Gen.

BY the Hon. John Saunders, Esquire, Chief Justice of the Province of New-Brunswick.

NOTICE is hereby given to all whom it may concern, that upon application of Nathan Andrews and David Andrews at present of Gagetown in Queens County, Ship Carpenters, to me duly made, pursuant to an Act of the Legislature of the said Province made and provided for relief against absconding debtors, I have directed all the estate, as well real as personal, of Israel I. Oakes, late of the Parish and County aforesaid, Yeoman; which said Israel I. Oakes hath either departed from and without the lines of the said Province, or concealed within the same, with intent and design to defraud them the said Nathan and David, 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 Israel I. Oakes do return and discharge his said debts within three months after publication of this notice, all the Estate, as well real as personal, will be sold for the payment and satisfaction of his Creditors.

Dated the 20th day of May 1826.

JOHN SAUNDERS, Chief Justice.

NOTICE is hereby given, that we the Subscribers have been duly appointed Trustees for all the Creditors of Joseph Kenah late of Fredericton, in the County of York, Esquire (a debtor departed from this Province,) and have been duly sworn to the faithful execution of the said trust,

pursuant to the directions of the Acts of Assembly, in that case made and provided: And we do hereby require all persons indebted to the said Joseph Kenah; on or before the twentieth day of June next, ensuing the date hereof, to pay to us or some or one of us, all such sum or sums of money or other debt duty or thing, which they owe to the said Joseph Kenah; and to deliver the other effects to the said Joseph Kenah; which they or any or either of them may have in his, her or their hands, power or custody, to us or some or one of us, as aforesaid; and we do also desire all the Creditors of the said Joseph Kenah, on or before the said twentieth day of June next, to deliver to us or some, or one of us aforesaid, their respective Accounts and documents against the said Joseph Kenah, in order that Right and Justice may be done, agreeably to the form of the said Act of Assembly, in such case made and provided.

Given under our hands at Fredericton, in the said County of York, the Fourth day of April, one thousand eight hundred and twenty-six.

George Fred. Street.
George Minchin.
H. G. Clopper. } Trustees

NOTICE is hereby given, that we the Subscribers have been duly appointed Trustees for all the Creditors of Stair B. Agnew, late of St. Mary's in the County of York, Yeoman, (a Debtor departed from this Province) and have been duly sworn to the faithful execution of the said trust pursuant to the directions of the Acts of the General Assembly in that case made and provided: and we do hereby require all persons indebted to the said Stair B. Agnew, on or before the Twenty-sixth day of September next ensuing the date hereof, to pay to us, or some or one of us, all such sum or sums of money, or other debt, duty or thing, which they owe to the said Stair B. Agnew; and to deliver all the effects of the said Stair B. Agnew; which they, or any, or either of them may have in his, her or their hands, power or custody, to us, or some or one of us as aforesaid; and we do also desire all the creditors of the said Stair B. Agnew, on or before the said 26th day of September next, to deliver to us, or some or one of us aforesaid, their respective accounts and documents against the said Stair B. Agnew, in order that right and justice may be done, agreeably to the form of the said Act of Assembly, in such case made and provided.

Given under our hands at Fredericton in the County of York, the Twenty-sixth day of June, one thousand eight hundred and twenty-six.

GEO. MINCHIN,
JAS. TAYLOR, Junr.
GEO. P. BLISS, } Trustees

NEW-BRUNSWICK, The eighth day of July in the year of our Lord one thousand eight hundred and twenty-six.

Present, His Excellency the CHANCELLOR.

WHEREAS the appointment of persons to be clerks in the Court who reside in different parts of this Province and are remote from the place where the sittings of the Court are held, has been the

occasion of great inconvenience, and has exposed the records and papers of the Court to accident and loss: It is therefore ordered that all the appointments heretofore made of persons as clerks of the Court, be, and the same are hereby revoked and vacated: and it is further ordered, that the Registrar of this Court be the officer in lieu of the clerks to transact and file all proceedings by bill, and answer and to have the custody of all Record papers, and proceedings relating to cases in equity, and to make and sign all official copies thereof, and to enroll the decrees of the Court, and to sign and seal all writs and process on the equity side of the Courts and to perform all other such like service, which appertained to the office of clerks of this Court.

By order of his Excellency the Chancellor
D. L. ROBINSON, Registr.

PROVINCIAL AUDITOR'S OFFICE Fredericton, 9th Aug. 1826.

ALL Persons who have received and who have not yet accounted for the Expenditure of any public monies entrusted to their care and expenditure are hereby required to make up and transmit their several Accounts (post paid) to this office duly attested, and with the proper Vouchers in their support, by the first day of December next, or their Defaults will be reported to His Excellency the Lieutenant Governor as directed by the Act of Assembly "for the better examining and auditing the Public Accounts of this Province."

The Accounts must be stated Dr. & Cr. with the Province, and the warrants credited each separately, and the purpose for which granted. The payments made must have distinct Vouchers applying to each Charge and corresponding in number and Amount: The Accounts must state whether any and what parts of the work have been done by Contract, also the names of the Contractors, the nature of the contract, whether by the rod or other distance, or so much for the whole, or in what other way? how the Contract has been performed and what sums have actually been paid?—If done by Days work to state the names of the workmen, the rate of wages per day of each man whether found in provisions or not? the number of days which each man has worked, the amount paid to each man, the quantity of work done, and the mode in which the same has been performed; The proper receipts must accompany the accounts of all monies paid by the commissioners, and (if the same are Signed with a mark) they must be witnessed by at least one respectable witness:—The Commissioners Account must be attested to before a Justice of the Peace, and the Oath must be in the following form or to that effect viz. "We A. B. & C. D. the Commissioners within named do make Oath that the foregoing Account is correct and true and that the several sums therein mentioned as paid have actually been paid by us as therein Stated"

Signed
A. B.
C. D.
Sworn the day
1826 before
Justice of
the peace

The Commissioners in signing their Accounts will please to add their places of residence.

S. D. STREET, Prov. Auditor.

HORSE GUARDS, June 9, 1826.

At a General Court Martial, held at Orange Grove Barracks, Trinidad, on the 16th of Jan. 1826, and continued by adjournments to the 20th of the same month, Deputy Assistant Commissary General Thomas Duguid was arraigned upon the undermentioned charges viz.—

1st. "For gross and shameful conduct, unworthy of an officer and a gentleman, by being drunk on duty during the office hours, on the 28th of November, 1825, and afterwards proceeding in that state to the Mess of the 9th Regiment, thereby obliging the officers of that corps to address an official intimation to Assistant-Commissary-General Robertson, his superior officer, that his, Mr. Duguid's society must be dispensed with in future."

2d. "For gross neglect of duty, being in such a state of intoxication, as to be unable to produce the key of the money vault, in order to lock up the detail chest at the close of the office hours, the key of the outer door of the vault being in his possession for that purpose; and which was thereby deposited in the provision store, in lieu of the usual place of security, on the night of the 28th of Nov. 1825; and which neglect of duty was repeated on the 29th of Nov. during the whole of which day he remained incapable of attending to any public duty, such conduct being in disobedience of the orders of his superior officer, and thereby setting a bad example by his inattention to common decorum, and to the security of the public property, and in breach of the Articles of War."

Upon which charge the court came to the following decision:—

"The court having most seriously and attentively, and with great deliberation, weighed and considered the whole of the evidence that has been brought forward in support of the prosecution against the prisoner, Deputy Assistant-Commissary-