

Cheap Woollen GOODS.

THE subscribers have just received, by the late arrivals from their Manufacturing House, in England, a large quantity of
**SUPERFINE & SECOND
Broad Cloths;**
Ladies' Pelice CLOTHS and
CASSIMERES,
CONSISTING OF:—

Blue, Black, Waterloo, Bot-
te Green, Brown and Mixture
Broad Cloths;

Brown, French Gray, Drab,
and color'd Pelisse Cloths;

Black, Blue and Mixture
Double Mill'd Cassimeres.

Which they now offer for sale at the
Shop of Messrs. THOMSON & DETHOR,
very low for cash.

JERRY WHITEHEAD & Co.
Kingston, 17th August, 1816.

Jonas Abbot,

R EPECTFULLY tenders his
thanks to his customers for their
friendly support in Mercantile transactions
since he came to this place, and informs
them that he has now commenced busi-
ness, with Mr. THOMAS S. WHITAKER,
under the firm of

JONAS ABBOT & Co.

And are now receiving a very general
assortment of

Fancy & Staple GOODS,

Well adapted to this Market, which have
been selected by one of the Partners from
the latest arrivals at Quebec and Mon-
treal, and purchased for ready money.

They flatter themselves their pur-
chasers have been such as will enable them
to sell their Goods as low as those who
have imported direct from Europe.

The strictest attention will be paid to
customers, and goods sold at a very mod-
erate advance.

Kingston, 2d August, 1816.

P. S. J. Abbot being about to re-
move to Montreal, requests those who
have demands against him, to exhibit
them; and those who are indebted to
him, to make payment.

9

Middle District, } To Writ: } BY virtue of a
ECUTION issued out of His Majesty's
Court of King's Bench, holding civil
pleas, in and for the Midland District a-
foresaid at the suit of ALEXANDER
AU DJO, of the township of Marys-
burgh, in the said District, yeoman,
against the lands and tenements of
PHILIP SWITZER, of the town-
ship and District aforesaid, yeoman, to
me directed: I have seized and taken
in execution, as belonging to the said
PHILIP SWITZER, the South-
westerly half of Lot number 1 on the
Southeasterly side of Southwest, or
Prince Edward's Bay, in the said town-
ship of Marysburgh, which said Lot of
land is bounded and bounded, or may be
otherwise known as follows, that is to
say, commencing in front on the said Bay,
in the limit between Lots number 1 and
2, and at the westerly angle of the said
Lot; then South 46 degrees East, 105
chains 27 links, more or less, to the
lands granted to Capt. John Allan; then
North 44 degrees East, 9 chains 50
links, more or less, to the centre of the
said Lot; then North 46 degrees West,
105 chains, 27 links, more or less, to
South West, or Prince Edwards Bay; then
Southerly along the waters edge of
the said Bay, to the place of beginning,
being partly cultivated, with all the build-
ings thereon erected, containing by
admeasurement 100 acres, be the same
more or less.—Now I do hereby give
Notice, that the aforesaid Lot and
premises will be sold and adjudged to the
highest bidder, at my office in the town
of Kingston, on WEDNESDAY, the
18th day of DECEMBER next, at 10
of the clock in the forenoon, at which
time and place the conditions of sale will
be made known.

CHARLES STUART, Sheriff.

And every person or persons having
claims on the above described Lot of
land and premises, by mortgage or other
right or incumbrance, are hereby adver-
tised to give notice to the said Sheriff,
at his Office, in the town of Kingston,
prior to the sale thereof.

Sheriff's Office, October 12, 1816.

19

Rags! Rags!

Cash and the highest price paid
for CLEAN

COTTON AND LINEN

RAG

AT THIS OFFICE.

M R. Editor, as I have for a long
time offered for sale a valuable
Tract of Land, and no one as yet, has
come forward to purchase, I will now
state it at half the real value, which is as
follows: £ s d
The 800 acres in the town-
ship of Loughborough, at } 400 0 0
10/- per acre
200 acres in Hungerford, 200 0 0
The Mills and Land at 4500 0 0
5100 0 0
Sixty TOWN LOTS, in the village
of Wellington, at £50 each Lot.
AMOS ANSLEY.
Kingston, Oct 25, 1816. 21st

SHOEMAKING &c.

HE subscriber begs leave to inform
the Public, that he keeps constantly
for sale, at his shop, (sign of the *Boot*
& *Shoe*,) Belleville, Upper Leather, Sole
Leather; and Boots and Shoes, for
which country produce, green hides, or
cash, will be received in payment. He
will also commence the Tanning Business
the beginning of March next, when he
will tan on furs, or as the parties may
agree.

MACCAGY PURDY.

Belleville, (Myer's Creek) Oct. 25, 1816.

Samuel Shaw,

B EGs leave to inform his Friends and
the Public in general, that he has
just received and now offers for sale, at
his Store, an elegant assortment of

HARDWARE & CUTLERY,

Direct from the Birmingham and Shef-
field Manufactories, which he will dis-
pose of Wholesale or Retail, at reduced
prices; among which are the following:
Carpenter's Bench and Moulding Planes,
Claws & Sorts;
Tying Squares and T Bevels,
Hand, Tenon, Dovetail, Sash, Mill,
Cross cut, and Key-hole Saws;
Chisels, Cupboard, Drawer, Truck-
Stock, Door, Mortice and Pad-
Locks;
Ship and Pocket Complices, Glaziers
Diamonds;
Hinges of all sorts, Brads and Iron;
Saddlery and Harness trimmings of all
descriptions;
Tandem, Gig and Riding Whips;
Do. Thongs and Lashes;
Bell Plated and Brass Candlesticks,
Do. Cruets of 4 & 5 Glasses,
Britannia Metal Teapots;
Watch-maker's and Jeweller's Plyers,
Nippers, Files, Screw plates, &c.
Fowling Pieces, Shot-belts, Powder
Flasks and Bullet moulds;
Locks for Fowling pieces;
Black tin Sauce-pans and Tea-kettles;
Handles & spouts to do. do.
Tinman's Rivets & wire of Sorts;
Gold scales of various sizes;
Grid Irons and Frying Pans,
Table and Desert Knives & Forks;
Do Carvers with Forks;
Wood Screws assorted;
Bureau Trimmings, Portable Desk do.
Bed Caps, Screws and Keys;
4d, 6d, 8d, 10d, 14d, 16d, 18d, 20d,
28d and 30d Nails;
White and Black Lead, Prussian Blue,
Spanish Brown, Red and Yellow
Paints;—
Boiled English Oil, &c. &c. &c.

Which in addition to his former Stock
will form the most complete assortment
ever offered for sale in this place.

Kingston, August 10, 1816.

10th

JAMES G. HANNA,
Watch Maker and Jeweller,

R EPECTFULLY informs his
friends and the public in general,
that he has just received a very elegant
assortment of

JEWELRY,

Gold and Silver Watches, (Patent Leav-
er and plane)—Musical Instruments of
all descriptions, such as Double Flage-
lets, Clarionets, Flutes, &c. Ladies work
Boxes, Plated Crewets, do. Candlesticks
do. Snuffers and Trays, do. Salt Cellars
and Toast Racks, Ivory handled Knives
and Forks in sets with Carvers, Patent
Cork Screws; Silver, Gilt and Steel
Purses, Silver and Plated Fish Knives,
do. Butter Knives, do. Spoons, Silver,
Gilt, and other Snuff Boxes, Razors,
Scissars, Pen Knives, Clocks, Fishing
Tackle, Bagganion Boards, Chessmen,
Dice, Silver, Tortoise Shell and Steel
Specktacles, and a number of other arti-
cles too numerous to mention, which he
will sell cheap for cash.

N. B. Also—some excellent

SNUFF,

Wholesale and Retail.
Watches and Clocks repaired and clea-
ned in the best manner, and warranted.

Kingston, Aug. 17, 1816.

11th

BLANK BAIL BONDS, and

SHERIFF'S SALES,

For sale at this Office.

KINGSTON, OCTOBER 26, 1816.

For THE KINGSTON GAZETTE.

TO THE MEMBERS OF THE PRO- VINCIAL PARLIAMENT.

The British Constitution, which is
epitomised in that of this Province, per-
mits a private subject to propose to the
Legislature any measure of Legislation
which he thinks conducive to the pub-
lic good, and to offer his reasons in
support of his proposition. This he
may do by way of Petition, or through
the medium of a public Gazette. I
shall make no apology for exercising
this constitutional privilege in the latter
form.

The laws of England respecting prop-
erty and civil rights generally were
adopted by an early Statute of the Pro-
vince. But some parts of the English
laws are not, and cannot, at present,
be executed here, for want of the proper
organs for their execution. Our
Provincial code is, therefore, defective
in several very important respects. A
Court of Chancery, for instance, is an
essential branch of the system of the
mother country. But no Chancery is
yet established in this Province. Here
is a great defect. Mortgages fall within
the jurisdiction of Chancery. At law a mortgage can, immediately after
the execution of the mortgage, sustain
an ejectment for the mortgaged premises,
unless prevented by a restrictive
clause in the deed: and, upon the
breach of the condition, by the non-
payment of the money, or the non-per-
formance of the act conditioned for, the
estate becomes absolute in the mortgagor.
The mortgagor's right to redeem is
only an equitable right, cognizable
in Chancery. And the foreclosure of
this equitable right of redemption is ef-
fected by a decree in Chancery. For
want of a Court of Chancery, therefore,
the due administration of mort-
gages is not provided for in this Pro-
vince. As there seems to be no proba-
bility of the introduction of a Chancery
very soon among us, I take the lib-
erty to recommend to your considera-
tion, whether it is not expedient to give
the Court of King's Bench jurisdiction
of mortgages, by authorising it to sus-
tain a special action of ejectment on
mortgage, and to render a conditional
judgment, that the mortgagor pay the
sum ascertained by the Court to be equitably
due, within sixty days, or some other
limited time, and that, in default of such
payment, the Plaintiff, the
mortgagor, be entitled to his writ of
seizure or possession, as the mortgage
may happen to be of a fee or of a term
of years: by virtue of which writ the
Sheriff shall put him into possession of
the mortgaged premises; still reserving
to the mortgagor a right to redeem and
recover both the premises by paying the
debt within one, two or three years, or
any other suitable term of limitation:
and enacting, that the actual pos-
session of the mortgaged premises for that
term, either under a judgment of the
Court, or by voluntary surrender of the
mortgagor, shall operate as a bar to
the right of redemption, and a satisfaction
of the debt. If deemed more equi-
table, the Court might be author-
ised, at the request of either party, to
order that the mortgaged premises be
sold at public auction, and that if the
proceeds of the sale should fall short of
the debt, they should be a satisfaction
for so much only as their amount; and
if they should exceed the debt, the sur-
plus should be paid over to the mortgagor.

It is submitted to your candid
consideration, whether this, or some
similar provision, might not be a safe
and simple substitute for the jurisdic-
tion of a Court of Chancery, so far as
relates to the subject of mortgages.

The guardianship of minors is in some
measure under the direction of the
Court of Chancery. While a father
lives, he is the natural guardian of his
children. By a British Statute, in
force in this Province, he may in his
will appoint a guardian for them after
his death, during their minority. But a
person under the age of twenty one
years, without either father or testa-
mentary guardian, in this country is
destitute of such legal protection, as
his age and state seem to require. In-
capable of forming contracts, except
for necessities, he is disqualified by
law for the management of his own es-
tate and concerns. And he is not pro-
vided with any certain, responsible
guardian, to act in his behalf. As a
remedy for this evil, to which a valuable
portion of the inhabitants of the Pro-
vince are subject, why might not the
Judges of the Surrogate Courts, in
their respective Districts, be author-
ised to appoint guardians for infants under
the age of fourteen years, and to allow
guardians elected by minors of
fourteen years, giving them when thus
appointed or elected and allowed, the
care of the persons, contracts and es-
tates of their wards, and requiring them

before acting in that capacity, to be
come bound, with sufficient securities,
at the discretion of the Surrogates, for
the faithful execution of their trust, and
for accounting with their wards at the
expiration of their terms of guardianship? The judges of the existing Sur-
rogate Courts, having cognizance al-
ready of the Probate of Wills, and the
administration of intestate estates, seem
to be the most proper organs of govern-
ment to be charged with the appointment
of guardians. Their powers and
duties, when so appointed, ought to be
defined in the Statute; but the super-
intendance of their conduct, and the
settlement of their accounts should be
left to the Surrogate Judges.

These hints are respectfully submit-
ted to the candor of these, to whom they
are addressed.

CAMDEN.

MR. EDITOR,

Noticing a remark in your paper of
the 12th inst. under the Editorial head,
on the statement published of their
Funds, by the *Loyal and Patriotic So-
ciety of Upper Canada*, in reply I beg
leave to request that the subjoined abstract
of my accounts, and for the more
perfect elucidation of the same, the
3d and 5th Resolutions, agreed upon
at the first formation of this laudable
Society, may also be laid before the
public for the satisfaction of all con-
cerned.

I am, &c.

W.M. MITCHELL, Treasurer
in the Midland District.

Kingston, 23d Oct. 1816.

The LOYAL & PATRIOTIC SO- CIETY OF UPPER CANADA, in account with W.M. MIT- CHELL, Treasurer in the Mid- land District.

Dr.

1816.

Oct. 23d,

To amount of pensions
and Donations paid agreeable to the order
of the members of the Committee since the
10th May, 1814.

To the sum on hand at
the disposal, and sub-
ject to the order of
the Directors, agreeable
to the 5th resolu-
tion, and to fulfil and
carry into effect the
3d object of the Soci-
ety. 3 per cent on
Cash 0 7,

To balance on hand at
the disposal of the
Committee in the Mid-
land District,

18 4 10

174 8 11

Cr.

1814.

May 10th,

By amount of subscrip-
tions and donations
received prior to this
date.

491 5 71

Less amount of disburse-
ments therefrom, as
per accounts examined
and approved this
day by the late Hon.
R. Cartwright, the
Rev. G. O. Stuart and
A. MacLean, Esq. of
which a copy was
thereafter transmitted
to the Directors at
York,

486 11 82

7 13 11

By Cash, a Donation
through the hands of
J. Kirby, Esq. from
the King-ton Bill As-
sociation, being inter-
est that had accrued
on small Bills issued
by them for the public
accommodation.

100 0 0

Oct. 23d,

By amount of subscrip-
tions collected since
the date of last ac't.

65 15 0

174 8 11

W.M. MITCHELL, Treasurer
in the Midland District.

Extract from the Resolutions.

3d. To reward merit