

New Shipman by

THE NEW-BRUNSWICK

ROYAL GAZETTE.

Volume II.]

TUESDAY, 9d JULY, 1816.

[Number 18.]

THE GAZETTE.

BY HIS HONOR

MAJOR GENERAL

GEORGE STRACEY SMYTH,

President, and Commander in Chief of the Province of New-Brunswick, &c. &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—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, Planks, 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 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 the eighteenth day of JUNE, in the Year of our Lord one thousand eight hundred and sixteen, and in the fifty-sixth year of His Majesty's Reign.

By His Honor's Command,

W. M. F. ODELL.

BY HIS HONOR

Major-General George Stracey Smyth,

(L. S.) President and Commander-in-Chief of the Province of New-Brunswick, &c. &c. &c.

G. S. SMYTH.

A PROCLAMATION.

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

GIVEN under my Hand and Seal the fifth day of June, in the year of our Lord one thousand eight hundred and sixteen, and in the fifty-sixth year of His Majesty's Reign.

By His Honor's Command.

W. M. F. ODELL.

COMMISSARIAT OFFICE,

FREDERICTON, 19th JUNE, 1816.

WOOD.

WANTED for the use of HIS MAJESTY'S Troops, &c. in this Garrison, from one thousand five hundred, to two thousand CORDS of Merchantable HARD WOOD, to consist of Maple, Black & Yellow Birch, White Ash, and Beech, to be delivered into His MAJESTY'S Fuel-Yard at this Post, in such quantities as shall be required by the Officer in charge. The WOOD to be properly inspected and measured by a Person duly sworn for that purpose, at the expence of the Contractor, and the whole to be completed by the 1st day of APRIL, 1817.

Sealed Proposals for supplying the above, will be received at this Office until the 15th day of July next, at 12 o'Clock when the lowest offer, if approved of, will be accepted.

Payment to be made upon delivery of every five hundred Cords, in Cash or Bills of Exchange at the current rate, at the option of the Officer in charge of the Commissariat at Saint John.

Unexceptionable security will be required for the due performance of such Contract as may be entered into.

S. M'DOULL,

Dy. Asst. Commissary General.

To be Sold by Auction,

On the 1st day of November next at 11 o'Clock, at Mr. JOHN M'LEOD'S,

THAT valuable FARM, the property of DAVID BETTS, in Northampton, with the House, Barns, &c. Lot No. 10, two hundred and ten acres, more or less, in Grant to AMOS BROOKS and others, bounded on the North by Peter Grant; and on the South by the glebe lands; taken in execution by a writ of fieri facias issued out of the Supreme Court, for one hundred and forty-six pounds and nine pence, New-Brunswick, at the suit of GEO. D. BERTON, and JEDEDIAH SLASON—and will be struck off on the above day to the highest bidder by

ROBERT SMITH, Coroner.

1st May, 1816.

LONDON, APRIL 29.

LAVALETTE.

The trial of Sir Robert Wilson, Messrs. Bruce and Hutchinson, and the other four persons implicated in the escape of Lavalette, came on before the Assize Court, at Paris, on Monday last.

The trial which attracted an immense auditory, among whom were a great number of Englishmen and English Ladies, commenced at eleven o'clock—M. Romain Deseze, son of the Peer of that name, who defended Louis XVI presided, five other Judges sitting on the bench.

M. Hua, Advocate-General, was Counsel for the Crown, and M. Dupin, Counsel for our Countrymen.

M. Deseze having opened the Court, the accused were called on to give their names, &c. which they did, viz.

Robert Thomas Wilson, born at London, aged 38, a Major-General, not in active service.

Michael Bruce, an English Gentleman, aged 26, born and domiciliated at London.

Mr. B. said, with energy, "I am an English Citizen."

John Hely Hutchinson, a native of Wexford, in Ireland, aged 26, Captain of Grenadiers in the 1st Regiment of Guards of the King of England.

Jacques Eberle, a Turnkey of the House of Justice; Jean Baptiste Roquette de Kirguidec, head gaoler of the same prison; Guerin, alias Marengo, Madame Lavalette's Chairman, and Benoit Bonneville, valet of M. Lavalette.

M. Rubert was sworn as Interpreter.

Mr. Bruce (speaking the French language) stated to the Bench and Jury, that, although his fellow countrymen and himself would be justified in demanding a Jury composed of half English, they committed themselves, without reserve, to the honour and conscience of a French Jury, solely; but they did not wish a precedent to be drawn from their case, to operate against such of their countrymen as might hereafter be placed in a like situation. [Here an altercation arose between the Advocates, whether the declaration be entered on the records. The Judges decided that there was no ground for the request.

The Act of Accusation was now read—it occupied two hours.

The Advocate General now retraced rapidly the facts of the indictment, and fixed the attention of the Jury on the principal points for their decision.

The President successively interrogated the French prisoners accused: their answers referred to the details already given in the indictment.

The President then addressed himself to M. Bruce.

Q. How long have you been in France? About thirteen months.

Q. You remained here during the stay of Bonaparte?—A. Yes; I left Paris two hours after Bonaparte, when he went to take the command of the army. I did not think it right that an English Gentleman should remain in a country which had commenced hostilities against his own; but Marshal Suchet refusing to let me pass the frontier, I was obliged to return to Paris.

Q. You wrote also to Madame the Duchess of St. Leu, whom you, called Imperial Highness, although your Government had never recognised Bonaparte as Emperor?—A. I gave her that title, because it was the one she bore.

Q. You were connected with several persons in the intimate confidence of Bonaparte, particularly the Duke of Vincenza?—A. It is true; but I do not see what relation these question have to the affair of Lavalette.

Q. It is not for the accused to judge of the merit, or of the object, of the questions addressed to him. You took a very lively interest in Marshal Ney?—A. Yes; a very lively interest, I do not blush to own it.

The accused here recounted the manner in which he had been mysteriously solicited to co-operate in the flight of Lavalette from Paris. If possible, said he, I would have effected his escape by myself alone; for I could not repulse a man who had put his life in my hands.

Q. It was you who received Lavalette at the house of Captain Hutchinson.—A. I received him when he was conducted to the house of that person whom I have not named.

[Hutchinson, who was close to Bruce, bade him name him.]

President.—This discretion is very useless, for Messrs. Hutchinson and Wilson have denied nothing; You know that Lavalette passed the night at the house of Captain Hutchinson, and that Hutchinson does not deny it.

Bruce.—It was not myself that engaged Hutchinson (who authorises me to pronounce his name) to receive Lavalette.

General Wilson (rising)—It was I.

The President then interrogated Hutchinson, who agreed to all facts that concerned him. It was at his house that Lavalette slept on the night from the 7th to the 9th of January. There is no trace of the retreat of Lavalette between this period and the 20th of December preceding.

Q. (To Hutchinson)—You escorted Lavalette?—A. Yes, on horseback.

Q. You wished, no doubt, to serve your friends?—Not so: I was actuated by a sentiment of humanity.

Q. But did not you take a particular interest, an interest of the heart, in this project, because you gave a memorandum of your expences to General Wilson?—A. I did so, being desired to do so; but I, nevertheless, took, great interest in Lavalette.

The President to General Wilson.—Did you know Lavalette before his escape?—A. Never.

Q. You began to serve in Egypt?—A. No; I began service in Flanders.

Q. But you have served in Egypt?—A. Yes, Sir.

Q. You have spread through Europe, by a celebrated work, violent suspicions against the morality of certain agents of Bonaparte in Egypt? It is true, I said that which I believed to be truth.

Q. (To Wilson). You knew that Lavalette was condemned to death by a jury? A. Yes, certainly: it was his condemnation that rendered my assistance necessary.

Q. You knew the crime for which he was condemned, for, having suppressed the proclamations of the King, for having on the 20th March put himself in correspondence with the Usurper, and for having cooperated in the return of Bonaparte? A. We are not agreed as to his crime. I believe that Bonaparte undertook this enterprise without any connexion in France. Much less of politics than of humanity entered into my conduct. Sir Robert declared further, that Mr. Hutchinson did nothing but by his influence, and that, in what he then did, he was guided by no political feeling whatsoever, but only by motives of humanity.

The Court then proceeded to the examination of the witnesses. The first person implicated by their depositions was Eberle, the head turnkey; and from the evidence it seemed certain that Eberle had purposely left open all the doors between the Chamber of Lavalette and the great wicket in the first part of the prison; and instead of obeying an order to run immediately after the sedan chair which carried away Lavalette, he directly came back to the prison and went with ridiculous precaution to shut in Madame Lavalette, saying, she at least should not come out without good orders. From another passage in evidence it appeared that J. had a narrow escape, for one of the chairmen being told, while waiting at the prison, that he should earn 25 louis if he went with speed, suspected something clandestine was going forward, threw down his leather strap, and went home; the consequence was, Lavalette remained four minutes in the sedan chair, at the very gate of the Conciergerie, till another chairman was procured!

The evidence for the prosecution being gone through, the witnesses for the defence were called. Their testimony was quite insignificant till Madame Lavalette was introduced. Her entrance was announced by a murmur, expressive of the interest and curiosity of the audience. When she appeared, Wilson, Hutchinson, and Bruce, saluted her with a profound bow. The emotion and mental distress of Madame Lavalette were so great, when interrogated, she could scarcely articulate her own name: and when asked her age, she replied, 27; I believe. After having collected her ideas for some moment, she said—"The distress which I feel does not proceed from any fear, but from a kind of alarm on seeing myself before a tribunal, and amidst so large an audience."

The President.—Madame, it is not public justice which has summoned you here, it is some of the accused who have invoked your testimony.

Madame Lavalette.—I declare that the persons who have called me, contributed in no respect to the escape of M. Lavalette; no one was in my confidence; I alone did the whole.