

NOTICE is hereby given, that We, the Subscribers, have been duly appointed Trustees for all the Creditors of Gavin Smith, late of King's County, Farmer, an absconding debtor, and have been duly sworn to the faithful execution of the said trust, pursuant to the directions of the Act of Assembly in that case made and provided; and we do hereby require all persons indebted to the said Gavin Smith, on or before the first day of October 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 Gavin Smith, and to deliver all other effects of the said Gavin Smith, 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 Gavin Smith, on or before the same first day of October next, to deliver to us, or to some or one of us as aforesaid, their respective accounts and demands against the said Gavin Smith, 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 the City of Saint John, this twenty seventh day of March, 1818.
EDWARD J. JARVIS,
HUGH JOHN TON, junr., Trustees.
RALPH M. JARVIS.

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 JOHN DEAN, of the City of Saint John, Butcher, 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 within this Province, of Gavin Smith, late of the County of King's, Farmer, (which same Gavin Smith is departed from and without the limits of this Province, with intent and design to defraud the said JOHN DEAN, and the other creditors of the said Gavin Smith, 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 Gavin Smith 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 Gavin Smith, within this Province, will be sold for the payment and satisfaction of the creditors of the said Gavin Smith.

Dated at Saint John, the eighteenth day of November, one thousand eight hundred and seventeen.

WARD CHIPMAN, J. S. C.
WM. T. PETERS, Atty.

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, JUD. Atty.

For Sale by Auction.

On the 15th of May next, at 12 o'clock at the Jerusalem Coffee-House.

TWO LOTS on Sugar Island, being No. 23 and 24, containing Ten Acres each, and A LOT on the N. walk in Stream, above Mr. Green's.

A LOT and HOUSE in Town, now occupied by S. W. B. STREET, Esq. — Has not to be leased for one year from the first of May next, by

ALEXANDER NEVILL
Frederickton, 7th April 1818.

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.

LONDON, DEC. 22.

COURT OF KING'S BENCH.

THORNEY V. HEBSON.—An action on a policy of Insurance on the ship William, at and from Hull to New York; it was effected by the plaintiff on account of a person of the name of Townshend, resident in the United States, and subscribed by the defendant in the sum of £200. The facts were all stated on admissions; the ship sailed from Hull in ballast on the voyage insured in Dec, 1816, but was obliged to refit at Dover, in consequence of striking upon a bank; on the 19th Dec. she again proceeded on her voyage, and on the 14th Feb. after very bad weather, it was discovered that the main-mast was badly sprung; on the next day, the fore-yard, fore-sail and top sail were blown away, and the bowsprit was sprung; at the same time the ship was very leaky; and one pump was constantly kept at work. On the 16th Feb. two vessels, called the Hyder Ali and Navigator, came in sight; and it was agreed on communication with the masters, that they should keep near the William during the night, to render assistance if wanted. A squall however, in the evening compelled the Navigator to abandon the William; but, on the 17th Feb. the captain of the Hyder Ali took the crew of the William on board his vessel; at that time the sailors who had worked the William were quite exhausted, and both pumps could not keep the water under. In the Hyder Ali there were many supernumerary American sailors, eight of whom volunteered to risk their lives in the William in the hope of reaching some port of the United States and obtaining salvage; they succeeded in carrying her into Newport, in Rhode Island, where she was libeled, and a decree was pronounced, giving half the value of the ship to the salvors. The Intelligence having reached England, the plaintiff abandoned to the underwriters, but they refused to accept it, on the ground that the loss was only partial, and that the William might have been easily repaired at Newport, in order to have completed her voyage to New-York. It was admitted that the ship had been sold at Newport for £315, or 1400 dol. half of which sum was handed over to the eight Americans, as salvage. The defendants paid into court a sum sufficient to cover a partial loss; and the question under the circumstance was whether the loss was total or partial; if the former, the plaintiff would be entitled to a verdict; if the latter, a nonsuit, was to be entered.

Mr. Scarlett, on behalf of the plaintiff, said, that some modern cases seemed to have settled, that a ship was not the subject of abandonment as long as she could float: he stated the contrary position principally on the authority of the case of M'Gyer v. Henderson (1 M. and S.) observing, that at the time the captain and crew left the William, she could no longer be navigated by them, from fatigue on their part and from the condition of the vessel. The adventure of the Americans was desperate;—although they brought it to a favourable conclusion, it was scarcely to be hoped, and could only be attributed to unforeseen accident, and the

fresh and vigorous strength with which they supplied the places of the exhausted crew. The learned counsel observed, that the object of this suit was to have an important question settled, and whether it were done by his Lordship at *Nisi Prius*, or by the court on a special case, the plaintiff would be equally satisfied.

Mr. Topping, for the defendant, observed, that he had not expected to have been called upon to argue the point at *Nisi Prius*. He referred to the following cases, among others, as bearing upon the question of abandonment; Cambridge v. Nielson (10 East, 322) Parsons v. Scott (2 Taunt. 363) Anderson v. Wallis (2 M. and S. 240.)

Mr. Richardson, on the same side, mentioned Brown v. Smith (1 Dow. App. Ca. 342.)

Mr. Justice Abbott (who presided) intimated a clear opinion against the plaintiff, viz. that he could not abandon to the underwriters; but it was agreed that the facts should be inserted in a special case, a verdict being taken in the mean time for the plaintiff £200.

LONDON, JANUARY 28.

Several Cabinet meetings have been held of late; but the Prince Regent's Speech shows, that they were wholly on national concerns; and that there is not the smallest collision with any of the powers of Europe. This is the best answer which can be given to the numerous flimsy speculations on these meetings.

Yesterday Lords Liverpool and Castlereagh gave parliamentary dinners to large parties of members of both Houses. At both dinners the Prince Regent's Speech was read.

The Duke of York is recovering from his late accident.

The marriage of the Duke of Cambridge with the Princess CAROLINA-FREDERIQUE-WILHELMINE, of Hesse-Cassel, will be celebrated in March next. They will reside in England. The Princess is in her 19th year.

The Rt. Hon. FREDERICK ROBINSON, is appointed Treasurer of the Navy, vice Mr. ROSE, deceased.

THE DUKE OF WELLINGTON is on another visit to England to look to his private affairs. Nothing exists to call his presence at any particular place.

Major-General KEANE is appointed Governor of St. Lucia, vice Gen. SEYMOUR, deceased.

An opposition paper says, "The Speech of the King of France to his Chambers, and their addresses to him, have left no room for doubt, as to the purpose of the negotiations now on foot. A removal of the Allied army is required, before payment of the contributions." Nothing can be more apparent than the absurdity of this remark.—The refusal of France to pay the contributions would be in direct opposition to the provisions of a treaty, which she has solemnly ratified.—And after the removal of the army, there would be no occasion for contributions. If there are any pecuniary negotiations on foot, they relate to the demands of remuneration for the numerous spoils on the property of the nations made by BONAPARTE. Whether these can, or ought to be paid is another question.

There will be no Loan this year. The army will be reduced thirty thousand men, and, with other retrenchments, will reduce the expenditure for the ensuing year to fifty-eight millions. The revenue is estimated at fifty-two millions; but as in the expenditure of the year, sixteen millions are to be appropriated for the reduction of the national debt, it has been premised to apply six millions of that sum to make the income of the year equal to the expenditure, leaving the ten millions, with the accumulation of interest, to the reduction of the debt.

For several days the prices of Stocks have fluctuated; but still hold an elevation paramount to those of any nation on earth. The 3 per cents. were yesterday at 79 to 80.—The cause of this decline is owing to the quantity of Stock brought into the market by capitalists, who intend to contract for the French loan of thirty million; and who will thereby realize a higher rate of interest for their money.

PARIS, JAN. 23.

An official despatch has been received from Count CARA ST. CYR, dated Cay

enne, the 18th November, announcing the restoration to France of the fertile and valuable colony of Guayana. He took possession of it on the 8th of the month.

* This officer, who is a favorite of LOUIS 18th, was one of Bonaparte's most active and intelligent Generals.

BOSTON, MARCH 21. IMPORTANT DOCUMENTS.

On Saturday last The President of the United States communicated to Congress the following Message, on **OUR RELATIONS WITH SPAIN.** To the Speaker of the House of Representatives.

In compliance with a resolution of the Senate of the 16th of December, and of the House of Representatives of the 24th of February last, I lay before Congress a report of the Secretary of State, and the papers referred to in it, respecting the negotiation with the Government of Spain. To explain fully the nature of the differences between the United States and Spain, and the conduct of the parties, it has been found necessary to go back to an early epoch. The recent correspondence, with the documents accompanying it, will give a full view of the whole subject, and place the conduct of the United States, in every stage, and under every circumstance, for justice, moderation, and a firm adherence to their rights, on the high and honourable ground which it has invariably sustained.

JAMES MONROE.

Washington, March 4, 1818.

Department of State, March 14, 1818.

The Secretary of State, to whom have been referred the resolutions of the Senate of 16th December, and of the House of Representatives of 24th February last, has the honor of submitting to the President the correspondence between this department and the Spanish Minister residing here, since he received the last instructions of his government to renew the negotiation which, at the time of the last communication to Congress, was suspended by the insufficiency of his powers. These documents will show the present state of the relations between the two governments.

As in the remonstrance by Mr. DE ONES, of the 6th of December, against the occupation by the United States of Amelia Island, he refers to a previous communication from him, denouncing the expedition of Sir GREGOR MCGREGOR against that place, his note of the 9th July, being the paper thus referred to, is added to the papers now transmitted. Its date, when compared with that of the occupation of Amelia by McGregor, will shew that it was written ten days after that event; and the contents of his note of 6th December will shew that measures had been taken by the competent authorities of the United States to arrest McGregor as soon as the unlawfulness of his proceedings within our jurisdiction had been made known to them by legal evidence, although he was beyond the reach of the process before it could be served upon his person. The tardiness of Mr. ONIS's remonstrance is of itself a decisive vindication of the Magistrates of the United States against any imputation of neglect to enforce the laws; for, if the Spanish Minister himself had no evidence of the project of McGregor, sufficient to warrant him in addressing a note upon the subject to this Department, until ten days after it had been accomplished, it cannot be supposed that officers, whose authority to act commenced only at the moment of the actual violation of the laws, and who could be justified only by clear and explicit evidence of the facts in proof of such violation, should have been apprized of the necessity of their interposition in time to make it effectual before the person accused had departed from this country.

As, in the recent discussions between Mr. ONIS and this Department, there is frequent reference to those of the negotiation of Aranjuez in 1805, the correspondence between the Extraordinary Mission of the United States at that period, and Don PEDRO CEVALLOS, then the Minister of Foreign Affairs in Spain, will be also submitted as soon as may be laid before Congress, together with the correspondence between Don FRANCISCO PIZARRO and Mr. ERVING, immediately preceding the transmission of new instructions to Mr. ONIS; and other correspondence of Mr.