

deliver to us, or some or one of us as aforesaid, their respective accounts and document against the said James Turnbull, in order that right and justice may be done agreeable to the form of the said Act of Assembly in such case made and provided.

Given under our hands at Saint Andrews aforesaid, in the County aforesaid, the twenty-sixth day of April, A. D. 1823.

JOSEPH CLARKE, } Trustees.
ROBERT S. MOWAT. }
WILLIAM GARNETT. }

NEW-BRUNSWICK, } February 25th,
In Chancery, } 1823.
Between George Ludlow, and others,
Complainants,

And Joseph Young, Defendant.

FORASMUCH as the Court was this day informed by Mr. Robinson, of Counsel for the Complainants that the Bill in this cause was filed on the thirteenth day of July last, as by the certificate of their Clerk in Court appears, and process of Subpoena taken out against the said Defendant, but that the said Defendant now resides without the limits of this Province, or doth otherwise abscond to avoid being served with such process as by affidavit appears. And the said certificate and affidavit being read, the truth of the above allegation being made out to the satisfaction of the Court: *It is ordered*, that the said Defendant do appear and answer to the Complainants' bill, on or before the tenth day of June next.

By the Court,

D. L. ROBINSON,
Registrar.

NEW-BRUNSWICK, } MAY 26th, 1823.
In Chancery, }

Between } HENRY SMITH, Administrator of
JAMES BELL, deceased, Plaintiff, and
THOMAS HUMPHREYS, ROBERT
BOSWELL and BETSY his Wife, and
others, Defendants.

FORASMUCH as the Court was this day informed by Mr. ROBINSON of Counsel for the Complainant, that the Complainant's Bill in this cause was filed on the fourteenth day of August last, as by Certificate of his Clerk in Court appears, and Process of Subpoena taken out against the said Defendant ROBERT BOSWELL and BETSY his WIFE but that the said Defendant, ROBERT BOSWELL and BETSY his WIFE, now resides without the limits of this Province, or doth otherwise abscond to avoid being served with such Process, as by affidavit appears: and the said Certificate and affidavit being read, and the truth of the above allegation being made out to the satisfaction of the Court: *IT IS ORDERED*, that the said Defendant ROBERT BOSWELL and BETSY his WIFE, do appear and answer to the Complainant's Bill on or before the first day of September next.

By the Court,

D. L. ROBINSON, Registrar.

NEW-BRUNSWICK, } MAY 16th 1823.
In Chancery, }

Between HUGH JOHNSTON, } Complainant
HUGH JOHNSTON, Junr. } ants,
And JOSHUA E. FREEMAN, Defendant.

FORASMUCH as the Court was this day informed by Messrs. Charles I. Peters and James Peters, Junr. of Counsel for the Plaintiffs, that the Bill in this cause was filed on the 27th day of February last, as by the Certificate of their Clerk in Court appears, and process of Subpoena taken out against the said Defendant, but that the said Defendant now resides without the limits of this Province, or doth otherwise abscond to avoid being served with such Process as by affidavit appears; and the said certificate and affidavit being read, the truth of the above allegations made out to the satisfaction of the Court: *IT IS ORDERED*, that the Defendant do appear and answer to the Complainant's Bill on or before the 28th day of August next.

By the Court,

D. L. ROBINSON Registrar.

Letters from Mr. Commissioner Robinson, on the Canada Trade, and Canada Union Bills, communicated by the Lieutenant-Governor, January 22nd, 1823. (D. Concluded.)

It is true that the Commissioners of Upper Canada would not consent to the mode proposed for ascertaining the proportion of duties to be paid since the expiration of the last agreement, because they represented and proved that that mode was impracticable and that the result could not be satisfactory. All this appears in the report of the last Commissioners, but I am enabled to shew that sufficient evidence was in fact collected by one of the Commissioners of Upper Canada in conjunction with one from Lower Canada to prove at least the rights to more than the proportion contended for, and in the face of that evidence such proportion was nevertheless refused.

I have only to add that these resolutions of the Assembly of Lower Canada are wholly silent on the most important point, and that with respect to the past claims of Upper Canada, they suggest no means, and hold forth no prospect of their adjustment while nearly the whole of our revenue for the three last years is detained in their Treasury. These resolutions it is also to be ob-

served, were adopted by the Legislature of Lower Canada, after a knowledge of every point upon which the Province of Upper Canada has entreated the interposition of His Majesty, and the Imperial Parliament; for the Legislature of Upper Canada praying His Excellency Sir Peregrine Maitland to transmit to the Government of Lower Canada, for the information of the Legislature of that Province then in Session, a copy of the Address to His Majesty, and of the report which I have had the honor to present to Earl Bathurst, and I know that these papers were transmitted long before these resolutions are stated to have been passed.

The remarks made by Mr. Caldwell and Mr. Marshall, upon some of the enactments proposed by me, for placing on a just footing the financial concerns of the two Provinces, do not affect the most material of these provisions, and the points they involve are so particularly adverted to in the Report I have presented, and in this paper, that I need not at present urge any thing further upon them. I will only observe that nothing can be more mistaken than to deny the claim of Upper Canada to a just proportion of the duties levied under the British Statute of 14th Geo. 3rd.

The Annual vote of the British Parliament pays only some specified salaries.—It defrays but a part and not the greater part, of the expense of administering Justice, and supporting the Civil Government within the Province of Upper Canada. How can it then be proposed that Upper Canada shall remain embarrassed from want of funds to meet these objects, while upon the articles she consumes, duties are paid at Quebec which are expressly appropriated to that purpose, but which it is now contended are to be wholly expended in Lower Canada.

If it should appear to you that any of the points urged by the Legislature of Upper Canada are in themselves questionable or are rendered so by any statements or arguments advanced on the other side. I shall be much obliged by having an opportunity afforded me of further explanation.

I have the Honor to be, &c,
JOHN B. ROBINSON.

To

R. WILMOT, Esq,
Under Secretary of State
for the Colonies, &c.

BOSTON, May 24.

Naval Battle.—The National Advocate by this morning's mail, publishes two letters from Curracoa, dated May 3rd and 4th, giving particulars of this unfortunate action. It appears that a fleet of vessels under the British flag arrived off Porto Cabello, on the first of May, and the Colombian blockading force mistaking them for friends were surprized when they substituted the Royal Spanish ensign, for their English colours. An action commenced which lasted 7 hours and 10 minutes and terminated in the defeat of the Patriot Squadron. The Spanish force consisted of the Diamanta of 44 guns, 400 men—Casirida, 54 guns 630 men—Hyena; 18 guns 197 men—Ceres, 40 guns 387 men—Schr. Constitution, 14 guns 90 men—Jacinta, 16 guns 100 men—Total, 186 guns, 1804 men. The Colombian force captured consisted of the Bolivar, 24 guns, (Com. Daniels, an American, who was killed)—Mosquito, 18 guns—Sapphire, 18 guns—Maria Francisco, 22 guns. Making 82 guns, and carrying 478 men. Killed and wounded, according to report: Spaniards, 83 killed, 49 wounded. Colombians, 161 killed, 21 wounded.

Among the Passengers in the Daphne at N. York from Hamburg is Prince Murat, a son of the late King of Naples.

Capt. Wilkie, of Halifax, came passenger in the Schr. Maine, which arrived yesterday from Charleston. He was master of the brig Anna, from Jamaica, bound home in ballast. April 4, off the Moro, he fell in with 5 Spanish Droggers, and while he hove to, one of the Droggers ran foul of him, and received some damage. The Sp. Captain and some of the Crew immediately came on board, and finding he had no cargo, inquired for money. On being told there was none, Capt. W. and the man at the helm were knocked down, and the Spaniards took possession of the brig, and carried her into Havana, where they demanded 450 dol. for the trifling damage they had received. Having no money to settle this demand, he was informed he must abandon

the brig—which he did. She was sold for 1354 dol. and all that he got was 10 dols. all the rest withheld for expenses—and he had to pay 50 dol. for port fees improperly exacted of him.

BRAZIL.

Extract of a Letter from St. Salvador, April 12.

"Gen. Madeira, has received 2000 more troops from Lisbon, and some addition to his Naval force, and is now making preparations to sail for Rio Janeiro, to blockade that port.

LONDON, February 30.

THE SECRET TREATY OF TILSIT.
We extract the following curious document from a well written pamphlet recently published by Mr. Lewis Goldsmith, entitled "Observations on the appointment of the Right Hon. George Canning, to the Foreign Departments, &c." "Having" observes Mr. Goldsmith, "been the first in this country to give publicity to the Secret Treaty of Tilsit, in my publications entitled "The Secret History of the Cabinet of Bonaparte," I think proper to give it a place here:

"THE SECRET TREATY OF TILSIT."
"Art 1, Russia to take possession of Turkey in Europe, and to pursue her conquests in Asia as far as she thinks proper.

"The dynasty of the Bourbons in Spain, and all the Braganza family in Portugal, shall cease to exist. A Prince of the Emperor Napoleon's family shall be invested with the Crown of those Kingdoms.

"3. The temporal authority of the Pope to cease; and Rome, and her dependencies to be annexed to the Kingdom of Italy.

"4. Russia engages to assist France with her marine for the conquest of Gibraltar.

"5. The towns in Africa, such as Tunis, Algiers, &c. to be taken possession of by the French; and at a general peace, all conquests which might have been made by the French in Africa during the war, are to be given as indemnities to the Kings of Sardinia and Sicily.

"6. Malta to be occupied by the French and no peace ever to be made with England, unless that Island be ceded to France.

"7. Egypt also to be occupied by the French.

"8. Vessels belonging to the following Powers only, shall be permitted to navigate in the Mediterranean, viz French, Russian, Spanish, and Italian; all others are to be excluded.

"9. Denmark to be indemnified in the north of Germany, and by the Hans Towns, provided she consents to give up her fleet to France.

"10. Their Majesties of Russia and France will endeavour to come to some arrangement, that no Power shall in future be permitted to send merchant ships to sea, unless they have a certain number of ships of war.

(Signed) "KOURAKIN, (L. S.)

"C. M. TALEYRAND, (L. S.)

"Prince of Benevento.

"Tilsit, 7th July (25th June,) 1807."

Manchester, March 26.—I have taken some pains to form an idea as to the amount of business doing this season compared with former periods. No one can for a moment doubt that as to the quantity of goods made, there is more now than in any former year. Every weaver is employed, and in addition, immense quantities of goods are made by power looms; and what is very curious, by-the-by, is, that the goods capable of being made by these looms and in which the greatest competition, of course, takes place, happen to be the very articles most in demand, which shows that, to the extent they have been used, the steam loom, so far from overstocking the market, have created new markets for themselves. Profits, however, are low, which is the result of employments of very heavy capitals by individuals who are satisfied with a mere commission profit on the amount turned over, now that the interest of money is so low. Trade is, however, in a healthy state for the people; there are much fewer instances of goods sacrificed by needy people than there were in more speculative times. A man makes money more slowly now, but he does it more certainly. It is not now one fortunate dash that makes a fortune, or an unfortunate turn that loses one; but low profits are accompanied by a steady trade, in which a person knows what he is about.

February 15.—Mr. Peel, principal Secretary of State for the home department, has transmitted to the Mayor of this borough, and no doubt, to the authorities in the other commercial and manufacturing towns of the Kingdom, a number of inquiries, to which answers are required; and of which official papers the following is a copy:—

Question 1.—What is the present state of trade and employment of the working classes?

Question 2.—What the rate of wages as compared with the charge of providing comfortable subsistence for workmen and their families?

Question 3.—What the increase of buildings, with details as to the amount of the increase?

Question 4.—What the general disposition of the working classes, in regard to the peace of the country and subordination to the Laws?

Question 5.—What is the calculation with respect to the continuance of trade and employment.

Liv. Pap.

Baltimore, May 2.

LATEST FROM PERU.

DEFEAT OF THE PATRIOT ARMY.
It has been already stated, in general terms, in the newspapers, that the Peruvian Patriots had suffered a defeat. We regret that we have now to confirm this intelligence.—The following are a few of the particulars, obtained from an authentic source.

"On the 20th of January last, the opposing armies came within sight of each other at a town called Moquegua, something more than 40 leagues from Arica. The Patriot army commanded by General Alvarez, the Royal army by Generals Canyarar and Balgas. Dispositions were immediately made for battle and it commenced with great spirit on both sides. It was maintained with much obstinacy till the Patriots yielding, as stated by some, to superior numbers, by others to superior skill, gave way, when the Royalists obtained a

signal victory; but more than 8 or 900 of the Peruvian Patriots escaping from the scene of this sanguinary contest.

This gallant wreck of the independent army arrived at Callao on the 6th February, where it was supposed the Congress of Peru, then assembled at Lima, would suspend its sittings for a time, and place the country under the more immediate command of a military Chief. The possession of Lima by the Royalists was expected.

This is disastrous news, but we are happy to have it in our power, still to cherish a pretty confident hope of Peruvian Independence. Bolivar, who so well deserves the title of Liberator, bestowed on him by his country, was in March at Guayaquil, where having first sent off 1200 men, to reinforce the army operating against Morales, he had organized an expedition to liberate Peru. He was, himself, with the zeal and fearlessness of all danger which has distinguished his brilliant career, to take the command, and every thing may be hoped from his genius, talents, and experience.—Thus the cause of independence in Peru may still look to triumph, and speedily. Distinct from the generous principle which actuates the President, Bolivar, this expedition is evidently one of prudence and wisdom. Better to defeat the Royalists in Peru, than to have to fight them in Colombia. A Royal government in Lima, possessing all the resources of that rich country, might prove a dangerous neighbour, at once detrimental to the repose and liberties of the Republics of the south.

Providence, May 5.—Capt. Carpenter, from Hunduraz, informs that eight Commissioners had sailed from the Province of St. Salvador de Guatemala, for Boston, on a mission for uniting that Province with the U States, as one of their territories.

From the City Gazette, 22d May.
PIRATES.

The most dreadful acts of Piracy continue to be committed in the West Indies, attended if possible, with greater cruelties than before.

A French brig from St. Jago de Cuba to Nantz, had been robbed, the mate hung up three times and the master and others of the crew beat in a shocking manner.

A schr. from Matanzas to New Providence, had also been plundered, and the crew it is feared were all murdered; as there were two female passengers on board, who were taken out, one of which, with an infant at her breast, had a rope put round her neck and a knife presented to her breast to compel her to a disclosure where any money was secreted.

The brig Alert arrived at Havana from New Orleans. The Captain, Gold, and the Cook, were killed, and one man mortally wounded off the Moro, by the pirates, the night previous to her arrival.

The schr. John, Capt. Symmonett of Kingston was taken by a pirate on the 1st March, off the coast of Cuba and burnt.

Capt. Saunders, arrived at N. York from New Orleans, informs that he was boarded on the 10th ult. six miles north of Key West, by a boat from Com. Porter's squadron. The boarding officer informed that the fleet was lying at Port Allen, Key West, all well.

A British sloop of war had captured a piratical vessel, with 60 men, commanded by the notorious Lafitte, who was killed in the action. The pirate hoisted the bloody flag and cried no quarters—and none were shown.

In addition we learn that the above sloop of war was in disguise at the time she was boarded, and that the pirates were all killed.

The boarding officer also informed, that a Dutch brig had been captured about 15 miles to windward of Matanzas, and all on board, including two female passengers, put to death.

The Peacock was dismantled, and her boats employed in cruising the coast after pirates. There were four or five transports at Key West.

The brig Mechanic, from Portland, was captured one mile from the Moro, and robbed. The armed schr. Three Sisters, was taken at the same time, the mate was drowned by the pirates, and the Captain severely beaten.

An English brig was captured, by the pirates, in sight of Havana, and nothing was heard of her afterwards; it was sundown when she was boarded. It was supposed that all hands were murdered and the vessel sunk.

The schr. Pilot, Capt. Banks, of Norfolk, captured by the pirates on the 24th March, was re-captured by the U. S. schr. Gallinipper. The Pilot was run on shore by the pirates and many killed and wounded. The piratical Capt. declared to Capt. Banks while on board, that he would hang every Englishman that he fell in with, in retaliation for the pirates hung by them in Jamaica.

Schr. Ladies Delight, of Baltimore, captured by the piratical schr. Saragozza.